

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-23516-2019

Date of Decision 13.09.2019

Deepak Kumar @ Deepu

...Petitioner

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Aditya Sanghi, Advocate for the petitioner.
Mr. Manish Bansal, DAG, Haryana

ANIL KSHETARPAL, J.

Petitioner prays for regular bail in FIR No.98 dated 18.04.2019 registered under Section 22 (C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station, City Mandi Dabwali, District Sirsa.

As per the allegations of the prosecution, the petitioner was found in possession of 12 bottles of Rexcof (cough syrup). It is debatable whether actual contents are of the prohibited substance is to be taken into consideration or entire solution would be required to be taken into consideration. This matter has been referred to Larger Bench of the Hon'ble the Supreme Court in the case of *Hira Singh and another Vs Union of India and another, 2017 (8) SCC 162*.

Learned counsel for the State submits that investigations are complete. Final police report is going to be filed and petitioner is not involved in any other case under NDPS Act.

Without commenting on the merits of the case and keeping in view the aforesaid facts as also conclusion of the trial is likely to take time, it is considered appropriate to release the petitioner on regular bail on his

furnishing bail bonds/surety bonds to the satisfaction of the concerned trial
Court/Duty Magistrate.

Disposed of.

13.09.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No