

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53638-2018

Date of Decision: 17.01.2019

Dalbir Singh @ Balbir Singh

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Udeyveer Singh Rana, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Dalbir Singh @ Balbir Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.0394 dated 12.09.2018, registered at Police Station Kurukshetra University, District Kurukshetra, under Sections 20/61 of the NDPS Act, 1985.

Notice of motion was issued.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that the present petitioner was not apprehended on the spot and no recovery had been effected from him. Recovery of 31 kg of Ganja had been effected from co-accused-Sultan Singh. The only allegation against the present petitioner is that he had supplied 31 kg of Ganja to co-accused Sultan Singh.

Learned State counsel submits that the present petitioner has committed the offence under Section 29 of the NDPS Act. Section 37 of the NDPS Act does not bar the grant of bail, as in this case, the allegation against the present petitioner is only under Section 29 of the NDPS Act.

The petitioner has been in custody since 15.09.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case may take long time. No useful purpose will be served by keeping him in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

17.01.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	No
Whether reportable	No