

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-24549-2019

Date of decision-31.05.2019

Vijay Kumar @ Kallu

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. H.P.S. Ishar, Advocate for the petitioner.

Mr. Anmol Malik, Assistant Advocate General, Haryana
Assisted by ASI Subhash Chand.

MANOJ BAJAJ, J.

Petitioner-Vijay Kumar @ Kallu has prayed for grant of regular bail in case FIR No.108 dated 12.04.2019 under Sections 20 and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act registered at Police Station Taraori, District Karnal. The petitioner is in custody since his arrest on 12.04.2019.

FIR was registered on 12.04.2019, wherein it was alleged that when the police party was on patrol duty and investigation of crimes and when it reached near cremation ground of Ramana, a young boy was seen sitting on the seat of parked motorcycle. On seeing police vehicle, he pulled out a polythene bag from his right pocket and threw on the left side of the road. Thereafter, upon suspicion the boy was apprehended. On inquiry, he disclosed his name as Vijay Kumar @ Kallu. After completion of formalities, 420 grams *charas(sulpha)* wrapped in a plastic bag was

recovered from him. On this basis, the FIR was registered for the offence mentioned above.

Learned counsel for the petitioner contends that the contraband recovered from the petitioner falls within the ambit of non-commercial quantity and investigation of case is complete as challan stands filed before the trial Court.

On the other hand, the prayer is opposed by learned State counsel. According to him, the petitioner was found in possession of the alleged contraband, which is punishable under the provisions of NDPS Act.

Considering the above and the fact that trial is likely to consume considerable time, this Court is of the opinion that further detention of the petitioner may not be justified who is not involved in any other case of similar nature. Therefore, without meaning any expression of opinion on the merits of the case it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Karnal.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

31.05.2019
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No