

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

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**CRM-M No.54207 of 2018.
Date of Decision: 07.02.2019.**

Mahinder Singh

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Satbir Singh Gill, Advocate, for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in case F.I.R. No.53 dated 23.03.2015 under Sections 15/16/27-A of the N.D.P.S. Act, 1985, registered at Police Station Ding, District Sirsa.

Learned counsel representing the petitioner contended that the petitioner has been falsely implicated in this case as nothing was recovered from him, rather the alleged recovery of 20 kg poppy straw was from two more accused and name of the petitioner had come up as per statement of co-accused only. The trial of the case still to take some more time, no useful purpose would be served by detaining the petitioner behind the bar, so he be released on bail.

Reply by way of affidavit of Ravinder Singh, Deputy Superintendent of Police (HQ), Sirsa, filed by learned State counsel is taken on record. As per reply, the petitioner has already been acquitted in F.I.R. No.103 of 2015 under N.D.P.S. Act on 28.09.2018.

Having considered all these aspects and without commenting anything on the merits of the case, at this stage, which may not cause prejudice to any of the party, and the fact that the petitioner is in custody since 07.09.2018, trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. Petitioner-Mahinder Singh is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

07.02.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No