

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

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Criminal Misc. No.M-31114 of 2019

Date of decision : 06.09.2019

Parkash Chand Dhakhar

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Harsh Chopra, Advocate for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.79 dated 19.03.2019, under Section 17 of the NDPS Act, registered at Police Station Bhondsi, District Gurugram.

Learned counsel for the petitioner contends that the allegations in the FIR are that 1 kgs. 30 grams opium were recovered from the car being driven by the petitioner. He also contends that the petitioner is not involved in any other case under the NDPS Act and the recovery effected from him is below the threshold of 2.5 kgs. as commercial quantity. The petitioner is in custody for five and a half months.

Learned State counsel contends that although the charges have been framed but none of the 14 prosecution witnesses has been examined.

In view of the submission of learned counsel for the petitioner, especially when the recovery is of non-commercial quantity and the petitioner is in custody for five and a half months, he is not involved in any other case

and the conclusion of the trial is likely to take sometime, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

September 06, 2019
sonia gugnani

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