

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-31820 of 2019 (O&M)

Date of decision: 28.08.2019

Karambir

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Chand Ram Olla, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

ANIL KSHETARPAL, J. (ORAL)

Prayer in the petition is to grant regular bail in FIR No.147 dated 12.06.2019 registered under Section 20-27-A, 61, 85 of the Narcotic Drgus and Psychotropic Substances Act, 1985, at Police Station Sadar Hansi, District Hisar.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated and the alleged narcotic i.e. 22.5 kg. Ganja was never recovered from the petitioner. He further submits that the petitioner is in custody since 15.06.2019 and he is aged about 63 years. He is not involved in any other case. The investigations are complete and challan has been presented but the prosecution has not started recording its evidence.

On the other hand, learned State counsel has opposed the bail application on the ground that the recovery from the petitioner is of the commercial quantity.

As per the information supplied by learned counsel for the State,

commercial quantity with respect to Ganja starts from more than 20 kg. SI Rameshwar Dass, Investigating Officer present in Court has admitted that the market rate of the narcotic recovered is approximately Rs.5,000/- per kg. The alleged quantity recovered is marginally higher than the quantity from where the commercial category starts.

Without commenting on the merits of the case and keeping in view the fact that the trial of the case is likely to take a long time, the petitioner is directed to be released on regular bail subject to furnishing of adequate personal/surety bonds to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

Accordingly, the present petition is allowed.

28.08.2019

D.Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No