

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

**CRM-M No. 34551 of 2019
Date of Decision:-02.09.2019**

Kalu Ram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Jagjit Gill, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner Kalu Ram has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.47 dated 02.06.2019 registered under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Rori, District Sirsa, Haryana.

Brief facts of the case are that on 01.06.2019, the petitioner was arrested alongwith 264 grams of Heroin wrapped in a glazed paper while sitting in a vehicle, make Mahindra Xylo by the patrolling party. The petitioner did not furnish any permit or license with regard to possession of alleged contraband. As per the provisions of NDPS Act the compliance of Section 42 was duly made and after completing formalities, the petitioner

was arrested, which resulted into the registration of present case.

Learned counsel for the petitioner contends that the petitioner was travelling with his co-accused who being owner was driving the vehicle from where the recovery of 264 grams of Heroin was made. He further submits that the quantity is marginally over and above the commercial quantity. It is further submitted that the investigation of the case is complete and the petitioner is not involved in any other case and the case is at par with co-accused Gurjant Singh @ Janta, who has been extended concession of regular bail by this Court vide order dated 23.7.2019 in CRM-M-30234-2019.

On the other hand, learned State counsel assisted by HC Kuldip Singh has opposed the bail application. It is not disputed that the petitioner was not the driver of the alleged vehicle.

Considering the above background and the fact that trial is likely to take some time, further detention of the petitioner may not be justified. 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 concerned.

The petition is allowed.

September 02, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No