

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

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CRM-M-40683-2019 O & M)
Date of Decision:26.09.2019

Rahul

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jashan Preet Sidhu, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.674 dated 10.07.2019, under Section 20 of the NDPS Act, 1985, registered at Police Station City Thanesar, District Kurukshetra.

The prosecution case is that on 10.07.2019 during checking, the petitioner was apprehended by the police and a small transparent black colour polythene bag containing 1 Kg 200 grams of 'Ganja' was recovered, which he was carrying without any permit or licence.

Learned counsel for the petitioner contends that the recovered contraband falls within the category of non-commercial quantity. Investigation of the case is complete. According to him, further custody of the petitioner may not be justified.

On the other hand, learned State counsel assisted by ASI Randhir Singh has opposed the bail application on the ground that the petitioner is involved in another case, however, it is not disputed that in the said case, he is on bail. It is also not disputed that the recovered contraband falls within the category of non-commercial quantity.

Considering the above background and the fact that the 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.

26.09.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No