

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-41374 of 2019

Date of Decision: 15.11.2019

Bijender
... Petitioner(s)

Versus

State of Haryana
... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Aman Pal, Advocate
for the petitioner.

Mr. Anmol Malik, Assistant Advocate
General, Haryana for the respondent.

Anil Kshetarpal, J.

Petitioner prays for regular bail in a criminal case arising from FIR No. 182 dated 01.07.2019, registered under Sections 20 & 21 of the Narcotic Drugs & Psychotropic Substances Act, 1985, Section 61 of the Punjab Excise Act, 1914 and Section 120-B IPC (added lateron) at Police Station Nangal Chaudhary, District Mahendergarh.

As per the case of prosecution, from the house of the petitioner, following items were recovered:

<i>S. No.</i>	<i>Substance Recovered</i>	<i>Total Quantity recovered</i>
1.	Ganja	3 Kgs. 530 grams (non-commercial)
2.	Doda (Poppy Straw)	830 grams (small quantity)
3.	Afeem (Opium)	728 grams (non-commercial)
4.	Bhukki (Poppy Straw)	545 grams (small quantity)
5.	Cash	Rs.3,85,820/-
6.	Gold Ornaments	23 grams 600 Mgs.

7.	Silver Ornaments	207 grams 230 Mgs.
8.	Country made liquor (Santra)	43 boxes
9.	Thunder Bolt Beer	7 Boxes
10.	Kingfisher Beer	3 Boxes

Petitioner is in custody since 02.07.2019. Investigations are complete. Police report as required under Section 173 Cr.P.C. has been filed. The recovery from the petitioner does not fall under the category of commercial quantity. In fact, *Doda* and *Bhukki* fall in small quantity, whereas opium and *ganja* are falling in non-commercial category.

Without commenting on merits of the case and keeping in view the aforesaid facts and the fact that the conclusion of trial of the case is likely to take a long time, petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

(Anil Kshetarpal)
Judge

November 15, 2019
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No