

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

226

CRM-M-42357-2019(O & M)
Date of Decision:14.10.2019

Narpinder Singh @ Nippi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Deepshikha Chauhan, Advocate
for the petitioner.

Mr. Sanjay Kumar Saini, AAG, Haryana.

MANOJ BAJAJ, J.

This second petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.47 dated 02.06.2019, under Section 21 of the NDPS Act, 1985, registered at Police Station City Rori, District Sirsa, Haryana.

Brief facts of the case are that on 01.06.2019, the petitioner was arrested along with 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 alleged contraband weighing 264 grams was weighed with the polythene container and the same is marginally above the non-commercial quantity i.e. by 14 grams. It is contended that the investigation of the case is complete and the co-accused of the petitioner has been extended the concession of regular bail. It is contended that the charges are yet to be framed and the trial is likely to consume some time, therefore, further custody of petitioner may not be justified.

On the other hand, learned State counsel has opposed the bail application. He submits that the petitioner is involved in another case of similar nature in which he is on bail. He submits that previously the prayer was declined by this Court vide order dated 23.07.2019.

At this stage, learned counsel for the petitioner submits that at that stage the investigation was pending and now the final report stands submitted before the Court.

After hearing learned counsel for the parties, this Court finds that the further custody of the petitioner may not be necessary, as the co-accused has been extended the concession of regular bail and the trial is likely to consume considerable time. 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.

14.10.2019
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(MANOJ BAJAJ)
JUDGE

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