

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

251

CRM-M-44813 of 2019

Date of decision : 05.12.2019

Suresh @ Machi

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM : HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present : Mr.Sumeet Puri, Advocate
for the petitioner.

Mr.D.R.Singla, DAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.487 dated 22.11.2018, under Section 15 of the NDPS Act, 1985 registered at Police Station City Tohana District Fatehabad.

Learned counsel for the petitioner contends that the allegations against the petitioner are that 14 kg of poppy husk, which is below the commercial quantity, were recovered from the co-accused and the petitioner is alleged to have run away from the spot. Learned counsel further contends that the petitioner has been falsely implicated as he was convicted in another case. It would not be possible for the petitioner to run away from the spot in presence of the 05 police official. The petitioner is in custody for over 08 months.

Learned State counsel on instructions from H.C.Rajesh Kumar states that the petitioner has been convicted in another case. He also contends that although charges have been framed but no prosecution witness has been examined.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over 08 months and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

[ANUPINDER SINGH GREWAL]
JUDGE

05.12.2019
sd

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No