

231

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51264-2019

Date of Decision: 06.12.2019

Anwar Ali

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mohinder Singh, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.307 dated 03.10.2019, under Sections 15 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Taraori, District Karnal. He is in custody since his arrest on 03.10.2019.

As per the case of the prosecution, on 03.10.2019, a secret information was received by police party and nakka was laid. On search, 20 kgs of poppy husk was recovered from the dicky of silver colour KWID car bearing No.HR07AA-3201, which was being driven by accused Anwar Ali.

Learned counsel for the petitioner contends that the petitioner is not involved in any other case and the alleged recovery of 20 kgs of poppy husk falls within the ambit of non-commercial quantity. He submits that the investigation of the case is complete and the trial of the case is likely to consume some time, therefore, his further custody may not be justified.

On the other hand, learned State counsel assisted by ASI Rajbir, has opposed the prayer, however he does not dispute the fact that the alleged recovery falls within the ambit of non-commercial quantity.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified. Resultantly, 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 Karnal.

The petition is allowed.

06.12.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No