

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 57 of 2020
Date of Decision: 13.1.2020**

Raja Ram

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Tarun Sharma, Advocate for
Mr. P.S.Jammu, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 102 dated 16.9.2019 under Section 15 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Odhan, District Sirsa.

Learned counsel for the petitioner submits that the alleged recovery effected from the petitioner is 47 kgs of *choora post*, contained in three plastic bags, which falls under the non-commercial quantity. He further submits that the petitioner has been in custody since 16.9.2019.

Learned State counsel, on instructions from Sub Inspector Jagdish, submits that in the present case challan has been presented and charges have been framed and no prosecution witness has been examined yet.

Learned State counsel has also filed the report dated 11.10.2019 receipt from Forensic Science Laboratory, Madhuban (Karnal),

which is taken on record. As per the said report, the samples taken were identified as poppy straw of *papaver somniferum* L.

The petitioner has in custody since 16.9.2019. Challan has been presented and charges have been framed. No prosecution witness has been examined yet. The trial will take time to conclude. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

January 13, 2020
Gurpreet

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