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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.780 of 2020 (O&M)

Date of Decision: 06.03.2020

MALKEET SINGH ALIAS SONUPetitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Pardeep Kumar, Advocate
for the petitioner.

Mr. Surender Singh, A.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

CRM-6167-2020

In view of prayer made for correction in the memo of parties as well as in the petition, the application is allowed.

Name of respondent is ordered to be corrected as State of Haryana.

CRM-M No.780 of 2020

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.263 dated 24.09.2019, registered under Section 15 Act No.61 year 1985 of the NDPS Act at Police Station Ratia, District Fatehabad.

As per allegations, 22 kgs. of poppy husk/crushed *doda post* is alleged to have been recovered from the petitioner. The alleged recovery is non-commercial in nature. Bail has been

declined to the petitioner on the ground that earlier, he was involved in four other cases out of which in one of the case, he was convicted.

As per custody certificate filed by learned State counsel, there is no mention of any other case except the present FIR.

Learned State counsel on instructions from HC Dharampal submitted that infact petitioner was involved in other cases. In one of the NDPS case, petitioner is acquitted and in one of the case he has already undergone the period of sentence. Petitioner is on bail in other cases.

At this stage, without adverting to the merits of the case and looking to the nature of recovery which is non-commercial in nature, I deem it appropriate to enlarge the petitioner on regular bail, who is in custody since 24.09.2019.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 06, 2020

(RAJ MOHAN SINGH)
JUDGE

Atik

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