

224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4517-2020

Date of decision-06.02.2020

Bhim Sain

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Kotla, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner-Bhim Sain has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.182 dated 31.08.2019 registered under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sanoli, District Panipat. The petitioner is in custody since his arrest on 31.08.2019.

As per the prosecution case, on 31.08.2019, when the Police party was on patrol duty, petitioner was apprehended on suspicion. Upon search, 20 kg ganja was recovered from the possession of the petitioner.

Learned counsel for the petitioner contends that the recovered contraband is marginally above the non-commercial quantity. According to him, investigation of the case is complete and the final report has been filed on 24.10.2019. However, the charges are yet to be framed, therefore, further

custody of the petitioner may not be necessary and he prays for grant of regular bail. It is pointed out that the petitioner is not involved in any other case.

While opposing the prayer, learned State counsel assisted by ASI Rajbir Singh submits that the petitioner does not deserve the concession of bail as the contraband recovered from the petitioner falls under the ambit of commercial quantity. However, it is also not disputed that petitioner is not involved in any other case.

After hearing learned counsel for the parties, this Court is of the opinion that trial is likely to consume considerable time, therefore, no useful purpose would be served by keeping the petitioner behind the bars as the investigation is over. 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 concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

06.02.2020
vanita

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