

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-9437-2020

Date of decision: - 06.03.2020

HAJARI LAL

...Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. D.S. Virk, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 228 dated 11.09.2019 registered under Sections 15/61 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Narwana, District Jind.

Learned counsel for the petitioner states that the petitioner was apprehended at the spot sitting in the Swift car and allegedly 51 kg. 180 gms poppy husk was recovered on the search of swift car, which is marginally above from the commercial quantity. He further states that the allegations are false, the petitioner has been in custody since 11.09.2019, the challan has been filed and the charges have not been framed. There is no other case against the petitioner.

On the instructions from HC Rohtash, learned State counsel has not disputed the fact regarding the custody period of the petitioner and further states that challan has been present and charges are yet to be framed. He further states that the recovered contraband falls under the commercial quantity.

I have heard the learned counsel for the parties. The petitioner has been in custody since 11.09.2019 and charges are yet to be framed, the trial will take time to conclude and no useful purpose would be served by detaining the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

06.03.2020
Mangal Singh

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