

220(2 cases)

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

CRM-M-13510-2020

Date of Decision:16.07.2020

Kuldeep alias Lal Chand

.....Petitioner

Vs.

State of Haryana

....Respondent

2.

CRM-M-13682-2020

Mohan Lal

.....Petitioner

Vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present:- Mr.Satbir Singh Gill, Advocate,
for the petitioner.

Mr.Manish Bansal, DAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

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By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 Cr.P.C., upon FIR No.158, dated 08.04.2020, having been registered at Police Station Rania, District Sirsa, alleging therein the commission of offences punishable under Sections 21/61/85 of NDPS Act, 1985.

The quantity of contraband stated to have been recovered from the

co-accused of the petitioner (as per the case of the investigating agency), being admittedly below the commercial quantity, with the petitioner allegedly having been named as a co-accused by that person, without making any comment on the actual merits of the case, for or against the petitioner, this petition is allowed, with the petitioner ordered to be admitted to bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the CJM /Duty Magistrate concerned.

It is, of course, to be noticed that the learned State counsel has submitted that there are 6 other criminal cases registered against the petitioner under the provisions of the Indian Penal Code, in two of which he has been acquitted, with him having compromised the matter with the complainant in two others and he in fact having been convicted in two cases. However, with none of the other cases having been registered under the provisions of the NDPS Act against him and the quantity in the present case being admittedly below commercial quantity, the order above has been passed.

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Though the petitioner in this petition is stated to be the person apprehended at the spot, however, for the reason that there is no other criminal case under the provisions of the NDPS Act stated to be registered against him, with the quantity recovered from him being below commercial quantity, he too is ordered to be admitted to bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the CJM /Duty Magistrate concerned.

A photocopy of this order be placed on the file of the connected case.

July 16, 2020

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**