

S.No.210

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

CRM-M-15295 of 2020 (O&M)

Date of Decision:23.07.2020

Avtar Singh @ Tari

.....Petitioner

Vs.

State of Haryana

.....Respondent

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.81 dated 10.04.2020 registered under Section 15 of NDPS Act, 1985 and 61 of Ex. Act, 1914 at Police Station Kalanwali, District Sirsa, Haryana.

It is contended by counsel for the petitioner that the case against the petitioner is concocted. Otherwise also, the alleged recovery is much less than the commercial quantity of the prohibited substance. The petitioner is in custody for the past about four months. There is no other case against the petitioner. The investigation of the case is over. Therefore, the petitioner is not required for any investigation purposes.

Notice of motion.

Mr. Amit Aggarwal, DAG, Haryana, accepts notice on behalf of the State.

Learned State Counsel submits that the recovery of the contraband has been effected from the petitioner himself. However, it is not

disputed that the petitioner is in custody for the past three months and eleven days. It is also not disputed that there is no other case against the petitioner.

In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

July 23, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No