

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

(Proceedings conducted through video conferencing)

CRM-M No. 15957 of 2020(O&M)

Date of decision: 21.7.2020

Ravindra Mahato Chauhan

....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Dhiraj Parihar, Advocate for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

REKHA MITTAL, J.(Oral)

Ravindra Mahato Chauhan prays for grant of regular bail in respect of offence punishable under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS Act') registered at Police Station City, Kurali, District S.A.S. Nagar vide FIR No.3 dated 11.01.2020.

Counsel for the petitioner would argue that alleged recovery of 12 KG of Ganja from the petitioner falls in non-commercial quantity. It is further argued that recovery of Ganja from Rakesh Kumar and Parvesh Kumar cannot be fastened upon the petitioner to calculate total recovery effected from three persons. It is further argued that on completion of investigation, challan has been presented in the Court and conclusion of trial is likely to take its own time. The petitioner is ready to face trial without default.

Counsel representing State of Punjab has contested plea of the petitioner for grant of bail by contending that total recovery from three

persons i.e. 32 KG of Ganja falls within commercial quantity and petitioner has rightly been denied bail. However, in response to a query, counsel would inform that no other case under NDPS Act has been registered against the petitioner.

Indisputably, separate recovery of Ganja was effected from the petitioner, Rakesh Kumar and Parvesh Kumar. Recovery from the petitioner is 12 KG of Ganja that falls within the limits of non-commercial quantity. The petitioner is in custody since January 2020. There is no allegation that petitioner does not have a permanent place of stay or likely to flee from process of justice, in case enlarged on bail.

In view of the above, without meaning to express any opinion on merits of the controversy, the petitioner shall be released on bail subject to satisfaction of the trial Court/Additional Sessions Judge (on duty), S.A.S. Nagar (Mohali). However, he shall abide by the following conditions:-

- (i) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him/her from disclosing such facts to the Court;
- (ii) He shall not leave India without previous permission of the Court.

Disposed of accordingly.

JULY 21, 2020

‘D. Gulati’

Whether speaking/reasoned :

Whether reportable :

(REKHA MITTAL)

JUDGE

yes/no

yes/no