

215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16155-2020
Date of Decision: 08.07.2020

Sagar Singh and another

... petitioners

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. D.S.Virk, Advocate for the petitioners.

Ms. Tanushree Gupta, DAG Haryana.

* * *

VIVEK PURI, J. (ORAL)

The petitioners have prayed for grant of regular bail in case FIR No. 133, dated 8.4.2020 registered under Section 21(b)/61 of NDPS Act, 1985 registered at Police Station City Mandi Dabwali, District Sirsa, Haryana.

Briefly, the FIR has been registered in pursuance of the recovery of 84 gms of heroin being carried by Sagar Singh, petitioner No.1 and Raja Singh, petitioner No. 2 in a car.

Learned counsel for the petitioners states that the quantity of contraband recovered from the possession of the petitioners falls in the category of less than commercial quantity. As such, the stringent provisions of Section 37 of NDPS Act do not come into play.

It has also been pointed out by learned counsel for the petitioners that the arrest of the petitioners was effected on 8.4.2020, investigation of the case is complete and the challan has already been

presented in the Court. Furthermore, the petitioners are not involved in any other case.

Learned State counsel has not disputed the factual aspect of the matter.

Considering the above and the fact that conclusion of trial is likely to consume some time, further detention of the petitioners may not be justified. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioners be released on regular bail subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

(VIVEK PURI)
JUDGE

08.07.2020

Janki

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No