

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-20915-2020 (O&M)
Date of Decision:-28.9.2020

Jaspinder alias Gifti

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Diwan S. Adlakha, Advocate for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.87 dated 6.7.2020 at Police Station Sadar Jagadhari, District Yamuna Nagar under Sections 18/61 of Narcotic Drugs and Psychotropic Substances Act, 1985, wherein it has been alleged that the petitioner was found in possession of 84.05 grams of 'opium'.
2. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, since the challan already stands presented, the petitioner is no longer required to be detained.
3. Opposing the petition, the learned State counsell has submitted that since the petitioner was found in possession of a contraband, no case for grant of bail

is made out. The learned State counsel, upon instructions from ASI Kanwal Singh, has informed that the petitioner has been behind bars since the last 2½ months and that challan already stands presented and that the petitioner is not involved in any other case.

4. I have considered rival submissions addressed before this Court.
5. Bearing in mind the quantity of contraband recovered, which would fall under 'non-commercial' quantity and while also noticing that the petitioner is not wanted in any other case, no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

28.9.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No