

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20889-2020

Date of decision : August 11, 2020

Jaskaran

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

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

Mr. Anmol Malik, DAG, Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

The petitioner prays for bail pending trial in FIR No. 130 dated 09.05.2020 under Sections 21/61/85 of Narcotic Drugs and Psychotropic Substances Act registered at Police Station Civil Line Sirsa, District Sirsa.

It is submitted that the petitioner has been falsely implicated in this case, as he is a supporter of a particular political party in the State of Haryana and he remained its District Vice President in the year 2017. It is submitted that the petitioner was earlier sought to be falsely implicated in a FIR under the NDPS Act, wherein recovery of 9 grams of heroin has been alleged. The petitioner is on bail in the said matter and is facing trial. It is further submitted that recovery in the present matter, in any case is not of commercial quantity. Final report under Section 173 Cr.P.C./challan stands presented. It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State while opposing the bail submits that the petitioner is involved in another case under the NDPS Act wherein recovery of 9

grams of Heroin was effected. It is, however, not denied that the petitioner is on bail in the said matter. Recovery of narcotics in the present case is of non-commercial quantity. It is informed, on instructions from ASI Rattan Singh, that final report under Section 173 Cr.P.C./challan stands presented.

There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts, if released on bail.

No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned trial Court/concerned Duty Magistrate.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

August 11, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No