

CRM-M-21478 of 2020

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

CRM-M-21478 of 2020
Date of Decision: 13.08.2020

Lakhbir Singh

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Amit Choudhary, Advocate, for the petitioner.
Mr. Sumit Jain, Addl. A.G., Haryana.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video-conferencing due to Covid-19 pandemic.

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner – Lakhbir Singh – in case arising from FIR No.4 dated 06.01.2020 registered under Section 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Fatehabad, District Fatehabad.

According to prosecution, on 06.01.2020, 25.10 grams heroin was recovered from the conscious possession of the petitioner.

Learned counsel *inter alia* contends that alleged recovery of heroin from petitioner falls under the category of “non-commercial quantity”. Petitioner is in custody since 06.01.2020. Conclusion of trial may take a sufficient long time. No useful purpose would be served by

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detaining the petitioner in jail any more.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner, submitting that petitioner is a habitual offender. He is involved in four more criminal cases, out of which has been convicted for three years in one case under the NDPS Act.

Having given thoughtful consideration to the rival submissions, though the recovered quantity falls under the category of “non-commercial quantity”, considering criminal antecedents of the petitioner and his conviction in a case under the NDPS Act for three years, he does not deserve the concession of regular bail.

Dismissed.

At this stage, learned counsel for the petitioner prays for withdrawal of this petition.

August 13, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No