

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

**C.R.M-M No.24496 of 2020
Date of Decision : 03.09.2020**

Rajender Kumar

..... Petitioner

versus

State of Haryana

..... Respondent

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Dheeraj Narula, Advocate for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.31 dated 12.02.2019, registered under Section 22 of NDPS Act, 1985 at Police Station Sadar, Sirsa (Haryana).

Learned counsel for the petitioner has argued that the seized quantity i.e. Tramadole weighed 255 grams which is marginally above the commercial quantity and the petitioner has been in custody for about 1 ½ years and no other case is pending against him. Further because of the pandemic no proceedings have taken place in the case since 16.01.2020.

Learned State counsel accepts the above said factual assertions but rebuts the argument that the recovery is marginally above the commercial quantity as in the impugned order the weight of the contraband is shown to be much higher.

Be that as it may, keeping in view the above facts and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the trial Court/Duty Magistrate.

Ordered accordingly.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

03.09.2020
pooja sharma-I

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