

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(204) CRM-M-26384-2020
Date of Decision: September 10, 2020

Vishal .. Petitioner

Versus

State of Haryana .. Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rohit Rana, Advocate, for the petitioner.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J.(ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.96 dated 04.03.2020 under Sections 21 (b) and 22 (b) of the NDPS Act, 1985 registered at Police Station Indri, Karnal.

Learned counsel for the petitioner submits that the recovery of the banned drugs which has been done from the petitioner is not of the commercial quantity and the challan has already been submitted and therefore, the petitioner be granted the benefit of regular bail especially in view of the fact that there are no other cases pending against the petitioner.

Notice of motion.

Ms. Safia Gupta, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of the petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State concedes that the recovery which has been done from the petitioner of the banned drugs is not

of the commercial quantity and further that there are no cases pending against the petitioner.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The recovery, which has been done from the petitioner of the banned substance is not of the commercial quantity and the challan has already been submitted. The trial is likely to take some time and keeping the petitioner behind the bars will serve no purpose especially when there are no other cases pending against the petitioner and there are no allegations that petitioner is likely to influence the trial in any manner.

Keeping in view the above, the petitioner has made out a case for the grant of regular bail.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, in case he is not required in any other case, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

September 10, 2020
harsha/naresh.k

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