

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.206

CRM-M-26066-2020

Date of decision : 13.10.2020

Vishal @ Babbu

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Varun Katyal, Advocate, for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.192 dated 10.12.2019, registered at Police Station Kalka, District Panchkula, under Section 21 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been in custody for more than 09 months. The trial is not likely to be concluded at an early date as even, charges have not yet been framed. It is a case of recovery of non-commercial quantity of contraband and thus, the petitioner may be released on regular bail.

Custody certificate dated 11.10.2020 has been produced in Court today and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of 09 months and 28 days and there is one other criminal case under the NDPS Act, 1985 pending against him.

Learned State counsel concedes that charges have not yet been framed.

Learned counsel for the petitioner submits that pending case is one of alleged recovery of 05 grams of heroin, which is also a case of alleged recovery of non-commercial quantity of contraband.

Keeping in view the fact that the trial is not likely to be concluded at an early date and in view of custody period undergone by the petitioner, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

13.10.2020

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No