

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

207

**CRM-M-26758-2020
Decided on : 11.09.2020**

Virender Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Sushil Sheoran, Advocate, for the petitioner.

Mr.Shivendra Swaroop, AAG, Haryana.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Petitioner seeks benefit of regular bail in a petition filed under Section 439 Cr.P.C., in FIR No.159 dated 21.06.2020 under Section 20 of NDPS Act, 1985 registered at Police Station Badhra, District Charkhi Dadri.

Counsel for the petitioner submits that the petitioner is in custody since 21.06.2020 and the investigation is complete as the challan was presented on 11.08.2020. It is further submitted that the considerable time would be taken for the trial to complete since as many as 14 prosecution witnesses have been arrayed by the investigating agency. It is still further submitted that the recovery is of 145 grams of Charas which is slightly over the small quantity and therefore, only on account of an earlier case of similar nature, the bail has been denied by the Addl.Sessions Judge, Charkhi Dadri.

State Counsel, on the other hand, has contended that the petitioner was named in the FIR on the basis of a secret information and was arrested and thus, justified the order denying bail.

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Keeping in view the above facts, without commenting upon the merits of the case and keeping in view the fact that petitioner has undergone almost 3 months of custody and the quantum of contraband which was recovered from him, he is entitled for the concession of regular bail. The trial is likely to take considerable time as charge is yet to be framed and no useful purpose would be served by keeping him in further detention, at this point of time.

Resultantly, the present petition is allowed and the petitioner shall be released on regular bail, to the satisfaction of the Ilaqa/Duty Magistrate, Charkhi Dadri.

SEPTEMBER 11, 2020

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**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No