

CRM-M-25998-2019

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

CRM-M-25998-2019

Date of Decision: 14.01.2020

Robin alias Bittu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Gurdharshan S. Sidhu, Advocate,
for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.10 dated 12.01.2019, registered at Police Station Sadar Sirsa, District Sirsa, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act')

Learned counsel for the petitioner submits that though the petitioner had been arrested at the spot and the alleged recovery of 1320 intoxicant capsules had been effected from him, yet the mandatory provisions of the NDPS Act had not been complied with. The petitioner has been in custody for the last one year. There is no other case pending or decided against the petitioner.

On the other hand, learned State counsel opposes the prayer made in the present petition. The learned State counsel, on instructions

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from ASI Banwari Lal, submits that out of 22 prosecution witnesses, only 03 have been examined.

I have heard learned counsel for the petitioner and the learned State counsel.

Challan has already been presented. The petitioner has been in custody for the last one year. The trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping him behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

14.01.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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