

CRM-M-28168-2020

DECIDED ON: 21st September, 2020

SOMA DEVI

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vikas Bishnoi, Advocate, for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter has been taken up for hearing through video conferencing due to COVID-19 situation.

This petition is directed against the order dated 7th September, 2020 passed by learned Additional Sessions Judge-cum-Special Judge, Fast Track Court, Fatehabad rejecting the prayer for regular bail in case FIR No. 270, dated 25th July, 2020 under Section 18 of NDPS Act, registered at Police Station Sadar Fatehabad.

As per FIR a secret information was received and on conducting raid 725 grams of opium was recovered from the petitioner which she was carrying in a polythene bag.

Learned counsel for the petitioner submits that the petitioner is 80 years old and is in custody since i.e. 25th July, 2020. He further submits that no recovery is to be made and the quantity recovered from the petitioner is non-commercial. Learned counsel for the petitioner on the basis of reply filed before the court below submits that there is no other case pending against the petitioner.

Learned State counsel submits that 725 grams of opium was recovered from the conscious possession of the petitioner.

Considering the age of the petitioner and that the quantity recovered from the petitioner is non-commercial, she is granted bail subject to furnishing requisite bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

Disposed of.

21st September, 2020.
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(AVNEESH JHINGAN)
JUDGE

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