

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-28454-2020 (O&M)
Date of Decision:-17.11.2020

Salbinder Singh Alias Chhinda

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mohit Bishnoi, Advocate for the petitioner.

Mr. Karan Sharma, AAG, Haryana.
assisted by SI Krishan Kumar.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a registered vide FIR No.209 dated 28.6.2020 at Police Station Bhuna, District Fatehabad, Haryana under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985, wherein it is alleged that the petitioner was found in possession of 950 grams of ‘*opium*’.
2. The learned counsel for the petitioner has submitted the petitioner has falsely been implicated in the present case and that, in any case, since the recovered quantity would fall in the category of ‘non-commercial’ category, the petitioner deserves the concession of bail.

3. Opposing the petition, the learned State counsel has submitted that since the petitioner stands convicted in one more case pertaining to recovery of 4 kilograms of 'poppy husk', no case for grant of bail is made out.
4. I have considered rival submissions addressed before this Court.
5. Having regard to the fact that it is a case of recovery of 'non-commercial' quantity of contraband and that the petitioner as on date has been behind bars since the last more than 5 months and challan already stands presented, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

17.11.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No