

CRM-M-28480-2020

Date of Decision: 23.09.2020

Balbir Singh @ Bhira

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sandeep Siwach, Advocate,
for the petitioner.

Mr. Deepak Bhardwaj, D.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

This petition has been filed under the provisions of Section 439 of the Cr.P.C. seeking 'regular bail' for the petitioner in case FIR no. 30 dated 03.02.2020, registered at Police Station Sadar Ratia, District Fatehabad, for the alleged commission of offences punishable under Sections 15/27-A/61/85 of the NDPS Act, 1985.

The amount of contraband as is alleged to have been recovered from the petitioner is 05 kgs of poppy husk, which is obviously well below commercial quantity, that being above 50 kgs.

Though learned State counsel submits that the petitioner has also been convicted earlier of a similar offence and another case is also pending against him under the same provisions of the NDPS Act, 1985, however, keeping in view the quantity of poppy husk allegedly recovered from him (as

per the case of the investigating agency), with no prosecution witnesses having

been examined so far due to the ongoing pandemic, without making any comment on the actual merits of the case for or against the petitioner, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Chief Judicial Magistrate/Duty Magistrate, concerned.

September 23, 2020
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No.