

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

Crl. Misc. M – 29134 of 2020 (O&M)
DATE OF DECISION: 25.09.2020

Kamla Jangir Petitioner.
Vs.

State of Haryana Respondent

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. P.S.Jammu, Advocate, for the petitioner.
Ms.Dimple Jain, AAG, Haryana.

ALKA SARIN, J (Oral)

Heard through Video Conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short, 'CrPC') for grant of regular bail to the petitioner in FIR No.160 dated 31.07.2020 registered under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Nathusari Chopta Sirsa, District Sirsa.

Learned counsel for the petitioner has contended that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner has further stated that the petitioner has been in custody since 31.07.2020 and the recovery is of 1 kg *opium*, which is a non-commercial quantity.

Notice of motion.

On the asking of Court, Ms. Dimple Jain, Assistant Advocate General, Haryana has put in appearance on behalf of the respondent-State through video conferencing and accepts notice. She, on instructions from

ASI Ajay, has stated that the challan has been presented. It has further been stated that the recovery was from the car and not the person of the petitioner. Further the learned State counsel is not in a position to deny that the recovery in the present case is non-commercial in nature.

I have heard learned counsel for the parties.

In view of the submissions made by learned counsel for the parties and without commenting on the merits of the case and the fact that the trial is unlikely to conclude in the near future in view of the current scenario in the wake of the outbreak of the COVID-19 pandemic, I deem it to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, concerned.

However, the Prosecution will always be at liberty to get the bail cancelled, in case the petitioner is found to be misusing the concession of bail in any manner.

September 25, 2020
tripti

(ALKA SARIN)
JUDGE

NOTE:

Whether speaking/non-speaking: Yes/No
Whether reportable: Yes/No