

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30010-2020
Date of Decision: 01.10.2020

Ankur Soni

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Lupil Gupta, Advocate for the petitioner.

Mr. Amrik Singh Narwal, DAG Haryana.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

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VIVEK PURI, J. (ORAL)

The petitioner has prayed for grant of regular bail in case FIR No. 464 dated 4.8.2020 under Section 21 of NDPS Act, 1985 registered at Police Station City Sirsa, District Sirsa.

The FIR has been registered in pursuance of the recovery of 30 gms of heroin from the possession of the petitioner.

It has been stated by learned counsel for the petitioner that quantity of contraband recovered from the possession of the petitioner is less than commercial quantity. The arrest of the petitioner was effected on 4.8.2020, investigation of the case is complete and challan has already been presented in the Court.

It has been further stated by learned counsel for the petitioner that petitioner is not involved in any other case under NDPS Act.

Learned State counsel, on instructions from ASI Mukesh Kumar has not disputed the factual aspect of the matter.

In the instant case, the quantity of contraband recovered from the possession of the petitioner falls in the category of less than commercial

quantity. As such, stringent provisions of section 37 of NDPS Act do not come into play.

Considering the above and the fact that the trial is likely to consume some time, further detention of the petitioner may not be justified. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

01.10.2020

Janki

**(VIVEK PURI)
JUDGE**

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