

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

CRM-M-36405-2020 (O&M)  
Date of Decision:-10.12.2020

Satpal Singh @ Sattu

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Nirmaljeet Singh Sidhu, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

*(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 case registered vide FIR No.213 dated 30.8.2020 at Police Station Sadar Ratia, District Fatehabad under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985, wherein it is alleged that the petitioner was found in possession of 1.40 kilograms of ‘*opium*’.
2. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that apart from official witnesses, there is no evidence worth credence to connect the petitioner with the alleged recovery.

3. Opposing the petition, the learned State counsel has submitted that since the petitioner was caught red-handed and had earlier also remained involved in an identical case, no case for grant of bail is made out. The learned State counsel, upon instructions from SI Omprakash, has, however, informed that the petitioner has been behind bars since the last more than 3 months and that challan already stands presented.
4. The learned counsel for the petitioner has clarified that the petitioner already stands acquitted in the earlier case registered against him vide judgment dated 15.1.2020 (Annexure P-3).
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that it is a case of recovery of ‘*opium*’, the quantity of which would fall in ‘non-commercial’ category and the fact that the petitioner is not a previous convict and has been behind bars since the last more than 3 months, 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.

**10.12.2020**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                      Yes / No