

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

CRM-M-32420-2019 (O&M)

Date of Decision:- 20.2.2020

Inderjeet @ Vicky

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S.Virk, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.80, dated 19.3.2019, Police Station Cheeka, District Kaithal, under Section 21 of NDPS Act.
2. It is the case of prosecution that 8.150 grams of 'heroin' was recovered from left pocket of jean worn by the petitioner.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in any case since challan already stands presented and trial is underway, his further detention is

not required as he has already been behind bars since the last about 11 months.

4. Opposing the petition, learned State counsel has submitted that since the petitioner is a habitual offender having been convicted in 2 other cases, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court. Given the fact that the recovery of contraband falls within the quantitative limits of 'non-commercial quantity' and that the petitioner has been behind bars since the last about 11 months, his further detention will not serve any useful purpose. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

February 20, 2020

mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No