

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

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**CRM-M NO. 40635 of 2020
Date of decision : 09.12.2020**

Hardev Singh @ Toda

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Rajvinder Singh Bains, Advocate
for the petitioner.

Mr. Tarun Sharma, AAG, Haryana.

HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of COVID 2019.

This is a petition filed under Section 439 Cr.P.C. for grant of bail in case FIR No. 0213 dated 19.9.2020, registered under Sections 18 and 61 of NDPS Act, 1985 at Police Station Sadar Tohana, District Fatehabad.

As per allegations in FIR, 114 grams of opium was recovered from the right pocket of *lower* of the petitioner.

Learned counsel for petitioner states that petitioner has been falsely implicated in the case. Besides, the quantity of alleged contraband amounts to non-commercial quantity and that nothing is to be recovered from the petitioner. The petitioner is in custody since 19.9.2020.

On the other hand, learned State counsel states that the investigation in case is complete and challan has been filed.

Without commenting anything on the merits of the case and also bearing in mind the custody period of the petitioner, this criminal miscellaneous petition is allowed and the petitioner-Hardev Singh @ Toda is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

09.12.2020
Rajeev (rvs)

(HARINDER SINGH SIDHU)
JUDGE

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