

223 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41644-2019
Date of Decision: 29.01.2020

Sultan

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Bharat Julka, Advocate for the petitioner.

Mr. Baljinder Singh Virk, DAG Haryana assisted by
ASI Phool Kumar.

* * *

VIVEK PURI, J. (ORAL)

Petitioner has prayed for grant of regular bail in case FIR No. 277 dated 08.07.2019 registered under Sections 15 and 18 of NDPS Act, 1985 at Police Station Azad Nagar, District Hisar.

Briefly, the FIR has been registered on the allegations that in pursuance to the secret information, a car bearing registration No. HR-48A-1505 was signalled to stop. The driver of the car managed to slip away. The petitioner who was travelling in the car was apprehended at the spot. 47 kgs of poppy husk was recovered from the car and 300 gms of opium was recovered from the pocket of the shirt worn by the petitioner.

Heard and record perused.

The quantity of contraband recovered in the instant case falls in the category of less than commercial quantity. As such, stringent provisions of section 37 of NDPS Act do not come into play. The arrest of the petitioner was effected as back as on 8.7.2019. His custodial interrogation

is over and he has been remanded to judicial custody.

It has also been pointed out by the learned State counsel that investigation of the case is complete and challan has already been presented in the Court.

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.

29.01.2020
Janki

(VIVEK PURI)
JUDGE

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