

CRM-M-42411-2019

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

212

CRM-M-42411-2019

Date of Decision: 12<sup>th</sup> February, 2020

Sandeep Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Ivneet Singh Pabla, Advocate,  
for the petitioner.

Mr. B.S. Virk, DAG, Haryana.

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VIVEK PURI, J. (ORAL)

Petitioner is seeking regular bail with regard to the case registered vide FIR bearing No. 122 dated 27.07.2019 registered at Police Station Babain, District Kurukshetra, under Sections 21 and 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'NDPS Act') in pursuance of the recovery of 13 grams of smack (heroin) from the possession of the petitioner.

It has been stated by the learned counsel for the petitioner that in another case bearing FIR No.155 dated 30.03.2017, under Section 21 of the NDPS Act, registered at Police Station Sadar Thanesar, the petitioner has already been released on bail.

Learned State counsel has not disputed this factual position.

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

CRM-M-42411-2019

quantity and as such, the stringent provisions of Section 37 of NDPS Act do not come into play. It has further been stated that the investigation of the case has been completed and challan has been presented in the Court. No fruitful purpose would be served by detaining the petitioner in custody.

Accordingly, without expressing any observation on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

12<sup>th</sup> February, 2020  
*Nisha*

( VIVEK PURI )  
JUDGE

|                            |        |
|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |