

CRM-M-52125-2019 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

**CRM-M-52125-2019 (O&M).
Decided on: February 18, 2020.**

Kalu Ram

.. Petitioner

VERSUS

State of Haryana

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Prashant Singh Chauhan, Advocate,
for the petitioner.**

Mr.Gaurav Bansal, AAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short the 'Cr.P.C.'), for the grant of regular bail in FIR No.462 dated 30.10.2019, under Sections 20-B of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station, City, Rewari, Haryana.

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Learned counsel for the petitioner has, inter alia, submitted that in the present case the petitioner is in custody since 31.10.2019 in a case of alleged recovery of 8 kgs. and 900 grams of *Ganja Patti* which is a non-commercial quantity. He has further submitted that investigation in the present case is complete and since the conclusion of trial is likely to take some time, the petitioner be admitted on regular bail.

Per contra, learned State counsel, on instructions from ASI Anil Kumar, has submitted that although in the present case the alleged recovery from the petitioner is of non-commercial quantity, however, he was earlier convicted under the Narcotic Drugs and Psychotropic Substances Act, 1985, and therefore, does not deserve to be admitted on regular bail.

I have heard the learned counsel for the petitioner as well as learned State counsel and have also perused the record. The petitioner is in custody since 31.10.2019 and the alleged recovery from the petitioner is also of non-commercial quantity. Moreover, the investigation in the present case is complete and the conclusion of trial is likely to take some time and since the learned State counsel has not been able to show as to whether if released on regular bail, there is likelihood of petitioner tampering with the evidence and influencing the witnesses, I deem it fit to admit the petitioner on regular bail. Consequently, the petition is allowed. It is ordered that the petitioner shall be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court.

However, anything observed hereinabove shall not be

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treated as an expression of opinion on merits of the case and is meant only
for the purpose of decision of present petition.

February 18, 2020. **(JASGURPREET SINGH PURI)**
raj arora **JUDGE**

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