

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-52914 of 2019
Date of decision:08.05.2020

Shailender

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. K.V.S. Ahluwalia, Advocate
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

The petitioner is seeking regular bail in FIR No.219 dated 05.10.2019 under [Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985](#) registered at Police Station Sadar, Bahadurgarh, District Jhajjar.

Counsel for the petitioner has argued that the allegation against the petitioner is that 605 grams Charas was recovered from him which he was allegedly carrying in a red colour bag. He submits that the alleged recovery is non-commercial. He further submits that he is in custody since 05.10.2019 and the trial is likely to take sometime to conclude.

On the other hand, learned State counsel is present through video conferencing and could not deny the fact that the contraband seized from the petitioner was non-commercial in quantity. He has submitted that the report under Section 173 Cr.P.C. was filed on 28.11.2019 and the charges are yet to be framed. He has also conceded that no other case is pending against the petitioner.

Heard.

The petitioner is in custody more than seven months. More particularly, because the charges are yet to be framed against the petitioner and the trial is likely to take sometime to conclude, no useful purpose would be served by keeping the petitioner behind the bars any further.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(SUVIR SEHGAL)
JUDGE

May 08, 2020
savita/komal

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No