

212.

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

CRM-M-678-2021

Date of decision: 16.02.2021.

HARSH SINGH

... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Pawan Attri, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana,
with ASI Satnam Singh.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.0391 dated 13.10.2020 registered under Section 22/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Farakpur, Yamuna Nagar, during the pendency of trial.

As per FIR on 13.10.2020, the petitioner-accused was found in possession of 480 tablets of ALPRASAFE-0.5.

Counsel for the petitioner has argued that the petitioner is in custody since 13.10.2020 and there is no other case against him. The recovered quantity is non-commercial. FSL report in the case has not yet been received.

Learned State counsel does not dispute the custody, quantity and the fact that FSL report has not been received in the case.

I have heard learned counsel for the parties.

Noticing the fact that the petitioner is in custody since 13.10.2020 and no other case has been pointed out against him, coupled with the fact that recovered quantity is non-commercial in nature and the FSL report has not been received in the case so far, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

It is made clear that in case the petitioner is found indulged in any other case under the NDPS Act, the prosecution shall be at liberty to seek cancellation of his bail.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

16.02.2021
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.