

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-2273 of 2021
Date of Decision: 21.01.2021

...Petitioner(s)

Rakesh Kumar

Vs.

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. D. S. Virk, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.224 dated 22.10.2020 under Sections 17/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Nathu Sarai Chopta, District Sirsa.

Learned counsel for the petitioner contends that the petitioner is in custody since 22.10.2020. He further submits that the alleged recovery is of 360 grams of opium which is not commercial in nature. There is no other case pending against the petitioner.

Learned State counsel does not dispute the period of custody of the petitioner and the fact that there is no other case pending against the petitioner.

Having heard learned counsel for the parties and considering the fact that the petitioner is in custody since 22.10.2020, coupled with the fact that trial in the case may take long time, I deem it appropriate to release him on regular bail.

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

However, the observations made hereinabove shall not be construed as any expression on the merits of the case. In case any other case is found against the petitioner, the State is at liberty to approach this Court.

January 21, 2021
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(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes

Whether reportable?

Yes / No