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

**CRM-M No.3216 of 2021(O&M)
Date of Decision: 28.01.2021**

Pritam Singh

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Arpandeeep Narula, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.390 dated 15.11.2020 registered under Section 15 of the NDPS Act at Police Station Sadar Sirsa, District Sirsa.

As per allegations in the FIR, 19 kg 800 grams of Chura Post was allegedly recovered from the petitioner, which is non-commercial in nature. FSL report is still awaited.

Learned counsel for the petitioner submitted that rigour of Section 37 of the NDPS Act would not apply. Petitioner is not

involved in any other case. Petitioner is in custody since 15.11.2020. Challan has already been presented.

Learned State counsel, however, opposed the bail on the ground that the recovery has been effected from the truck which was being driven by the petitioner.

In view of nature of contraband allegedly recovered from the petitioner and FSL report having not been received so far, I deem it appropriate to enlarge the petitioner on regular bail without adverting to the merits of the case,

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 28, 2021
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No