

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

CRM-M-4282 OF 2021

DECIDED ON: 2nd MARCH, 2021

Mukesh Kumar @ Latu

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vikas Bishnoi, Advocate for petitioner.

Mr. Deepak Bhardwaj, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking regular bail in case FIR No. 451 dated 21.11.2020 under Section 21(b) of NDPS Act, 1985 and during investigation Section 27-A of NDPS Act, 1985 was added, registered at Police Station Sadar Fatehabad, District Fatehabad.

The brief facts are that in a routine checking on 21.11.2020, the petitioner along with co-accused were checked while they were travelling in car and 25.15 grams of heroine was recovered from both the accused.

Learned counsel for the petitioner submits that recovery is of non commercial quantity, investigation is complete and the petitioner is in custody since November, 2020.

Learned State counsel opposes the grant of bail stating that the

petitioner in involved in other similar case also.

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Considering the quantity of Heroine recovered; the fact that the investigation is complete; challan has been produced on 18.1.2021; no recovery is to be made and conclusion of trial is likely to take time, the petitioner is granted bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

2nd MARCH, 2021
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>