

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

CRM-M-4819 of 2021

DECIDED ON: 5th FEBRUARY, 2021

Jai Bhagwan

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Rakesh Kumar Lathwal, Advocate for the petitioner.
Mr. Kirpal Singh Thakur, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

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

The petitioner is before this Court for regular bail in case FIR No. 357 dated 15.8.2020 under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Meham, District Rohtak (Haryana).

The facts in narrow compass are that acting on a secret information, checking was done on 15.8.2020 and 1 kilo 300 grams *Charas* was recovered from the conscious possession of the petitioner which he was carrying in a black coloured polythene.

Learned counsel for the petitioner submits that the recovery was marginally higher than the commercial quantity and the polythene was weighed along with *Charas*. Further submission is that investigation is complete, challan has been presented and the petitioner is not involved in any other case of NDPS Act.

Learned State counsel on instructions from ASI Kuldeep Nain submits that the recovery is of commercial quantity and challan has been presented.

Considering that no recovery is to be made; investigation is complete; the petitioner is not involved in any other case and conclusion of trial is likely to take time, the petitioner is granted bail subject to his 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.

5th FEBRUARY, 2021

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*