

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-5107-2021
Date of Decision: 08.02.2021

Joginder @ Joga

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Aakash Juneja, Advocate for the petitioner.

Mr. Deepak Bhardwaj, Deputy Advocate General,
Haryana.

AVNEESH JHINGAN, J (Oral):

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

This is a petition for grant of regular bail in FIR No. 826, dated 17th November, 2020 under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter 'Act'), registered at Police Station City Rohtak, Rohtak.

On the basis of secret information, checking was done on 17th November, 2020, petitioner was apprehended and from his conscious possession, 3 KG and 800 gram *Ganja* was recovered.

Mr. Aakash Juneja, learned counsel for the petitioner submits that the petitioner is in custody since 17th November, 2020; challan has been presented and no recovery is to be made.

Mr. Deepak Bhardwaj, Deputy Advocate General, Haryana opposes the prayer submitting that one more case is

pending under Section 20 of the Act and earlier also petitioner was involved in four other cases. There is apprehension of his absconding from jail.

Learned counsel for the petitioner submits that in order to address the apprehension of absconding, the petitioner shall submit surety bonds to the tune of Rs. 1 lakh.

Considering that conclusion of trial is likely to take time; petitioner is in custody since 17th November, 2020 and recovery from the petitioner is of non-commercial quantity, the petitioner is directed to release on bail subject to his furnishing surety bonds to the tune of Rs. 1 lakh to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate concerned.

It is clarified that nothing observed hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

8th February, 2021

pankaj baweja

1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	Yes