

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5611-2021 (O&M)
Date of decision: 11.02.2021

Manjeet

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vazir Singh Mor, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.600 dated 21.12.2020 under Section 22(c) of NDPS Act, registered at Police Station City Tohana, District Fatehabad.

Learned counsel for the petitioner submits that as per allegations in the FIR, the police stopped a scooty, on which two persons were riding. Driver of the scooty told his name as Sukhjeet Singh @ Sukhi and pillion rider was Manjeet Singh (petitioner). It is further submitted that when the police conducted search of dikki of scooty, 150 strips of NRX Tramadol Hydrochloride SR Tablets IP Celcidal-100 SR, 10 tablets each i.e. 1500 tablets

were recovered. It is also submitted that from the personal search of the petitioner, no intoxicant material was recovered and the petitioner is not involved in any other case under NDPS Act; he is neither owner nor driver of the scooty and recovery was effected from the scooty, which was in possession of driver Sukhjit Singh @ Sukhi, therefore, it will be a debatable issue whether the petitioner was in conscious possession of the contraband.

Learned State counsel, on instructions from ASI Suresh Kumar, could not dispute the manner, in which the recovery was effected, however, submits that the petitioner is involved in one more case/FIR under Sections 323, 324 IPC.

Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

11.02.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No