

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

CRM-M-7931 of 2021.

Decided on:- February 24, 2021.

Rakib.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Inderjeet Singh, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

HARI PAL VERMA, J. (Oral)

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.315 dated 26.12.2020 under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, the NDPS Act) (Section 29 of the NDPS Act was added later on) registered at Police Station Chhachhrauli, District Yamuna Nagar.

Learned counsel for the petitioner has submitted that the petitioner was allegedly found in possession of 16 grams of Smack, which is non-commercial in nature. Apart from the fact that the petitioner is in custody since 26.12.2020, there is no other case against him. The conclusion of trial is likely to take sufficient long time.

Learned State counsel, on instructions from ASI Jagdeep Singh, does not dispute the custody of petitioner and the recovery of alleged contraband.

I have heard learned counsel for the parties.

Noticing the fact that the alleged recovery is non-commercial in nature and the petitioner is in custody since 26.12.2020 coupled with the fact that the petitioner is not involved in any other case and the trial is not likely to be concluded in near future, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

February 24, 2021
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No