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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-9234-2021

Date of Decision: 03.03.2021

Darshan Singh

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Pradeep Chhoker, Advocate for the petitioner.

Mr. Deepak Bhardwaj, DAG, Haryana
assisted by SI Shamsher Singh.

AVNEESH JHINGAN, J (Oral):

This is a petition for grant of regular bail in FIR No. 272, dated 2nd December, 2020 under Section 20 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act') registered at Police Station Rajaund, District Kaithal.

On the basis of secret information received, a raid was conducted and 500 grams of *charas* was recovered from the petitioner.

Mr. Pradeep Chhoker, learned counsel for the petitioner submits that recovery is of non-commercial quantity. Petitioner is in custody since 2nd December, 2020, investigation is complete. He further submits that no useful purpose would be served by keeping

the petitioner behind the Bars.

Mr. Deepak Bhardwaj, Deputy Advocate General, Haryana, on instructions from SI Shamsheer Singh, submits that petitioner was involved in three other similar FIRs i.e. (i) FIR No. 226, dated 25.09.2004 (ii) FIR No. 185, dated 25.08.2010 and (iii) FIR No. 51, dated 18.02.2020, all under Section 20 of the NDPS Act, registered at Police Station Pundri.

Learned counsel for petitioner submits that in FIR No.226, the petitioner was acquitted and in other FIR only 40 grams of *charas* was recovered.

Considering the facts that investigation is complete, conclusion of trial is likely to take time and mere pendency of trial in another case would not be a ground to deny him bail in the present case. The petitioner is directed to be released on bail subject to his furnishing bail bonds to the satisfaction of the 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

3rd March, 2021

pankaj baweja

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