

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

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**CRM-M No.11861of 2021
Date of Decision: 19.03.2021**

AJAY

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sushil Sheoran, Advocate for the petitioner.

Mr. Anant Kataria, DAG Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.410 dated 01.12.2020 under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Bawani Khera, District Bhiwani.

As per prosecution case, the FIR was registered on the basis of secret information to the effect that petitioner is involved in the trade of narcotics. He was apprehended at the spot with 3 kg 400 gms of ganja and 110 gms of sulfa. According to the schedule, 3 kg 400 gms of ganja is a non-commercial quantity. Similarly 110 gms of sulfa is also non-commercial quantity. Commercial quantity of ganja starts from

20 kg onwards and that of sulfa from 1 kg onwards.

Learned State counsel on instructions, submits that FSL report has been received and the quantity of contraband recovered from the petitioner is the same. Petitioner is also involved in two more cases under penal Code.

Petitioner is in custody since 01.12.2020. Challan has been presented. Charges have also been framed, but no prosecution witness has been examined so far. The trial of the case may take some time in its culmination.

Keeping in view the nature of contraband recovered from the petitioner and petitioner is in custody since 01.12.2020, I deem it appropriate to enlarge the petitioner on regular bail, without adverting to the merits of the case.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

(RAJ MOHAN SINGH)
JUDGE

19.03.2021

Amandeep

Whether speaking/reasoned Yes/No
Whether reportable Yes/No