

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

CRM-M-14014 of 2021

DECIDED ON:1st APRIL, 2021

Govinda alias Govind

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vikas Bishnoi, Advocate for petitioner.

Mr. Deepak Bhardwaj, DAG 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 case of FIR No. 26 dated 12.1.2021, under Section 21(b) NDPS Act, 1985 and during investigation Section 27-A of NDPS Act, 1985 was added, registered at Police Station City Tohana, District Fatehabad.

During routine checking on 12.1.2021, the petitioner was apprehended and 12 grams Heroine was recovered from his possession.

Learned counsel for the petitioner submits that the petitioner is in custody since 12.1.2021; investigation is complete; no recovery is to be made and the recovery is of small quantity.

Learned State counsel opposes the prayer for bail. It is argued on instructions from ASI Manish that the petitioner is involved in three

more cases and he has misused the concession of bail in the said cases.

Learned counsel for the petitioner submits that the petitioner is not involved in any other NDPS case; he is on bail in all the three cases and the recovery made from the petitioner is of non-commercial quantity.

No recovery is to be made from the petitioner; *albeit*, challan has been presented, conclusion of trial is likely to take time; petitioner is not involved in any other NDPS case and mere involvement in other case would not be a sufficient ground to deprive the personal liberty. The petitioner is directed to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate.

The petition is allowed.

(AVNEESH JHINGAN)
JUDGE

1st APRIL, 2021

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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>