

CRM-M-16933-2021

Date of Decision:25.08.2021

Vijay Kumar

.....Petitioner

Vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGHPresent: Mr. Vikas Bishnoi, Advocate,
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conference.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 Cr.P.C., upon FIR No.48, dated 08.03.2021, having been registered at Police Station Bhuna, District Fatehabad, alleging therein the commission of offences punishable under Sections 15 and 20(b) of the Narcotics and Psychotropic Substances Act, 1985.

Learned counsel for the petitioner submits that the quantity of contraband allegedly recovered from him, being well below commercial quantity, both in respect of the poppy husk (1.36 kgs.) as also charas (250 grams), and with the trial not having commenced as yet he may be admitted to regular bail he already having been admitted to interim bail vide the order dated 12.05.2021, on account of his mother having expired.

Upon query to learned State counsel he submits that though undoubtedly the quantity of contraband recovered from the petitioner is non-

commercial, yet there are other criminal cases registered against the petitioner under the provisions of Punjab Excise Act, 1914.

Having considered the matter, looking at the fact that the trial is to effectively commence and the quantity of contraband stated to have been recovered from him is well below commercial quantity, without making any comment on the actual merits of the case, the petition is allowed and the petitioner is ordered to be admitted to bail, upon him furnishing adequate bail and surety bonds to the satisfaction of the trial court/CJM/Duty Magistrate concerned.

August 25, 2021
dharamvir

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO