

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

223

CRM-M-18280-2021

Date of Decision:20.05.2021

Shri Bhagwan @ Lilu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. G. S. Chinna, AAG, Haryana
assisted by SI Shadi Ram.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.50 dated 26.02.2021 at Police Station Sadar, District Fatehabad under Section 15 of NDPS Act, wherein it is alleged that he was found in possession of 5 Kgs. of poppy-husk.
2. Learned counsel for the petitioner has submitted that it is a case of recovery of intermediate quantity of contraband which is in fact a mildest form of contraband i.e. poppy husk and in these circumstances, the petitioner deserves the concession of bail particularly while challan already stands presented.
3. Opposing the petition, learned State counsel has submitted that the petitioner is a habitual offender having been involved earlier in several other cases registered under NDPS Act and that as such he

does not deserve the concession of bail. Learned State counsel has, however, not disputed the fact that the petitioner has been behind bars since the last about 2 months and 3 weeks and that challan already stands presented.

4. I have considered rival submissions addressed before this Court.
5. Having regard to the facts and circumstances of the case and while noticing that it is a case of recovery of 5 Kgs. of poppy husk which falls in intermediate quantity and that challan already stands presented, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

20.05.2021

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**