

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 18765 of 2021
Date of Decision: 26.7.2021**

Surender Yadav

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. R.S.Waraich (Rana), Advocate
for the petitioner.

Mr. Zorawar Singh Chauhan, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 283 dated 11.10.2020 under Sections 18B/27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Kaithal, District Kaithal.

Learned counsel for the petitioner submits that the alleged recovery effected from the petitioner, falls under the non-commercial quantity; which was alleged to be in a transparent polythene bag; that co-accused Gurpreet Singh @ Gora has already been granted regular bail; that the petitioner has been in custody since 11.10.2020 and there is no other case against the petitioner under the NDPS Act.

On the other hand, learned State counsel submits that though the recovery effected from the petitioner is non-commercial but he is also facing a criminal trial under Section 302 IPC in the State of Jharkhand. He

further submits that in the present case, charges have been framed but no prosecution witness has been examined till date.

I have heard the learned counsel for the parties.

Admittedly, the recovery effected from the petitioner is non-commercial and there is no other case against him. Co-accused Gurpreet Singh @ Gora has already been granted regular bail and the petitioner has been in custody since 11.10.2020. Charges have been framed but no prosecution witness has been examined yet. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

July 26, 2021
Gurpreet

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