

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

**CRM-M-21893 of 2021
DECIDED ON: 5th JULY, 2021**

Sanavvar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vikas Gulia, Advocate for petitioner.

Mr. Rajiv Sidhu, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition is filed for grant of regular bail in case of FIR No. 39 dated 9.3.2021, under Section 20 (Section 29 added later on) of NDPS Act, registered at Police Station Sadar Panipat, District Panipat.

The case set up by the police is that during patrolling on 9.3.2021 Sandeep Kumar was apprehended while was on motor cycle bearing registration No. HR-91-3095. From him 112 grams of charas was recovered. On the disclosure statement of Sandeep Kumar, Radhye Shyam, Veer Devender Singh and Sanavvar (petitioner) were arrested. The motor cycle bearing registration No. HR-04-B-7913 was taken into possession and recovery of 1 kg 5 grams charas was made from the conscious possession of the petitioner.

Learned counsel for the petitioner submits that on weighment by the Magistrate, the recovery was found to be 990 grams of Charas which is non-commercial quantity. He further submits that no recovery is

to be made, investigation is complete and challan has been presented.

Reply has been filed by the State.

Learned State counsel on instructions from ASI Anil Kumar submits that 990 grams of Charas was recovered from the petitioner.

As per the reply filed, the recovery made from the petitioner is 990 grams of Charas, i.e. non-commercial quantity. Investigation is complete and challan stand presented on 27.4.2021. The petitioner is not involved in any other case of NDPS Act. No useful purpose would be served by depriving the personal liberty of the petitioner. Bail is granted on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

5th JULY, 2021
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>