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

**CRM-M No.22019 of 2021
Date of Decision: 29.06.2021**

BALBIR SINGH ALIAS BABA

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. G.S Sidhu, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.02 dated 05.01.2021 dated 05.01.2021, (Annexure P1) under Section 17 of NDPS Act, registered at Police Station P.S Baragudha, District Sirsa.

Petitioner was apprehended along with a scooty on suspension. After necessary compliance, 617 grams of opium was recovered from the petitioner. It was kept in a glaze paper.

The alleged recovery is of non-commercial in nature. The bail

has been declined on the premise that the petitioner is having antecedent behaviour of criminal activity as he is involved in 5 other cases.

Learned counsel for the petitioner submits that in all other cases petitioner is on bail.

Learned State counsel opposed the bail on the premise that though the alleged recovery is of non-commercial but keeping in view the the past history of the petitioner, petitioner is not entitled for any regular bail.

Evidently, the petitioner was apprehended on 05.01.2021 along with 617 grams of opium which is non-commercial in nature.

Challan has been presented. Petitioner is in judicial custody. Charges have not been framed so far. The trial of the case may take some time in its culmination.

Looking to the aforesaid facts and in view of the situation arising out due to COVID-19 pandemic and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial

Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

29.06.2021

Amandeep

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No