

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

Sr.No.213

**CRM-M No.26239 of 2021
Date of Decision: 14.07.2021**

Parmanand Kumar

...Petitioner

Versus

State of Haryana

...Respondent

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. D.S. Virk, Advocate,
for the petitioner.

Mr. Apoorv Garg, Deputy Advocate General, Haryana
for the respondent.

MEENAKSHI I. MEHTA, J. (ORAL)

The petitioner herein seeks the relief of regular bail in the criminal case arising out of the FIR bearing No.187 dated 10.04.2021 registered at Police Station Sirsa City, District Sirsa, under Section 17 of the Narcotic Drugs and Psychotropic Substances Act, 1985 with the allegations of his having been found in possession of 2 kg of Opium.

Learned State counsel has forwarded the '*Pairvi*' report on the '*Whatsapp Group for Video-Conferencing*' of this Court and the same has been placed on the file.

I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that the Challan has already been presented in this case and the petitioner is in custody since

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10.04.2021 and he has never been booked in any other criminal case of the similar nature and moreover, the quantity of the Opium, as allegedly recovered from his possession, does not fall within the category of “commercial quantity” and in these circumstances, he deserves the concession of regular bail.

Learned State counsel does not dispute the afore-referred factual position but he argues that in view of the gravity of the offence as committed by the petitioner in this case, the instant petition be rejected.

Keeping in view the facts that the above-said quantity of Opium, as alleged to have been recovered from the possession of the petitioner, does not fall within the category of “commercial quantity” and the petitioner is behind the bars since 10.04.2021 and the Challan has already been presented in this case and the trial is likely to take sufficient time to conclude and that he is not involved in any other criminal case of the similar nature and also without commenting or expressing any opinion on the merits of the case in hand, the petitioner is hereby ordered to be released on regular bail on his furnishing the requisite bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This petition stands allowed accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

14.07.2021
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No