

CRM-M-22516-2020

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

CRM-M-22516-2020

Date of decision: 15.01.2021

Sunil Kumar

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Amarpreet Singh, Advocate,
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Copy of status report by way of affidavit of the Deputy Superintendent of Police, Law & Order, Hansi, filed in the Registry, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.89 dated 04.04.2020, registered at Police Station Hansi Sadar, District Hansi, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned counsel for the petitioner contends that recovery of 50 gram of heroin allegedly effected from the petitioner, falls in non-commercial quantity; that the petitioner has been in custody since the date of registration of the FIR; that challan was presented on 19.05.2020, but till date, no witness has been examined. The petitioner is not involved in any other case, much less of similar nature.

On the other hand, learned State counsel opposes the prayer

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made in the present petition. However, the learned State counsel does not dispute the fact that the recovery effected from the petitioner falls in non-commercial quantity. He also states that there are two other FIRs, including the one under Section 392 IPC, registered against the petitioner, but he has since been released on bail in both the cases.

I have heard the learned counsel for the parties.

The recovery allegedly effected from the petitioner falls in non-commercial quantity. The petitioner has been in custody since 04.04.2020. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

15.01.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No