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

(Through Video-conferencing)

**CRM-M No.30195 of 2021(O&M)
Date of Decision: 05.08.2021**

Vikas @ Bindra

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sawan Chaudhary, Advocate
for the petitioner.

Mr. Zorawar Singh Chauhan, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.106 dated 11.04.2021 registered under Section 21 of the NDPS Act and Section 14-A of the Foreigners Act at Police Station Safidon, District Jind.

As per prosecution case, the petitioner was pillion rider on the motorcycle, which was being driven by co-accused Pankaj on 11.04.2021. 44 grams of heroin was allegedly recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the

alleged recovery is non-commercial in nature and the petitioner is in custody since 11.04.2021. The case was registered on the basis of secret information. Co-accused Pankaj has been granted regular bail vide order dated 11.06.2021 passed in CRM-M No.21638 of 2021.

Learned State counsel on instructions from SI Harkrishan submits that though the recovery is non-commercial in nature, but the petitioner has antecedent behavior of criminal activity as he was involved in nine other cases of IPC.

Learned counsel for the petitioner explained the aforesaid allegation and submits that out of total nine cases, the petitioner has been acquitted in seven cases and in remaining two cases, he is on bail.

Looking to the quantity allegedly recovered from the petitioner and the status of co-accused Pankaj, I deem it appropriate to enlarge the petitioner on regular bail without meaning anything on merits of the case.

In view of above, petition is allowed. Petitioner is ordered to be released on regular 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.

05.08.2021
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(RAJ MOHAN SINGH)
JUDGE

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