

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

CRM-M-28613 of 2020 (O&M)

DECIDED ON: 18th August, 2021

Jaspal Singh

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. S. S. Gill, Advocate for petitioner.

Ms. Dimple Jain, AAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

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

CRM-24642-2020

Learned counsel for the petitioner seeks permission to withdraw the application as having been rendered infructuous.

Dismissed as withdrawn as rendered infructuous.

Main case

This is a petition seeking regular bail in case of FIR No. 481 dated 31.8.2020, under Section 15 of NDPS Act, 1985 and under Sections 8 and 12 of P.C. Act, 1988, registered at Police Station Shahabad Markanda, District Kurukshetra.

The brief facts are that on 31.8.2020 police officials patrolling near Flyover Dhantori checked one pedestrian who was carrying a polythene bag. He was apprehended and disclosed his name as Jaspal Singh (petitioner). From the bag 750 grams of Poppy Husk and Rs.1,00,000/- cash were recovered.

Learned counsel for the petitioner submits that recovery from the petitioner is of small quantity; investigation is complete and no recovery is to be effected. He further submits that the petitioner was granted interim bail on 1.10.2020 and the same has not been misused.

Learned State counsel on instructions opposes the prayer for bail and submits that the petitioner was involved in another case under NDPS Act.

Learned counsel for the petitioner at this stage submits that the petitioner has undergone the sentence in the earlier case.

Recovery from the petitioner is of small quantity; no recovery is to be effected; investigation is complete; challan stands presented and no useful purpose would be served by keeping the petitioner behind bars, bail is granted to the petitioner 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.

18th August, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>