

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

**CRM-M-38929-2021
DECIDED ON: 22nd SEPTEMBER, 2021**

KRISHAN KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Bhupender Singh, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

[1] This petition under Section 439 Cr.P.C is filed seeking regular bail in FIR No. 489, dated 21st August, 2021, under Section 18 and 61 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sector 32-33 Karnal, District Karnal.

[2] As per the allegation, Krishan Kumar (petitioner) alongwith co-accused was standing under a tree. 455 grams of opium was recovered from the co-accused of the petitioner.

[3] Learned counsel for the petitioner submits that no recovery was made from the petitioner. He further submits that recovery from the co-accused is of intermediate quantity. Petitioner is not involved in any other NDPS Act case.

[4] Learned State counsel opposes the prayer for grant of regular bail and submits that the petitioner is a resident of Rajasthan and there is

every possibility of his absconding.

[5] Learned counsel for the petitioner submits that petitioner is ready to furnish a local surety worth ₹2,00,000/-.

[6] No recovery was made frm the petitioner. The petitioner has no criminal antecedents and the recovery from the co-accused is of non-commercial quantity. The petitioner is granted bail on furnishing his local surety to the tune of ₹2,00,000/- to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

[7] The petition is allowed.

[8] It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

22nd SEPTEMBER, 2021
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned Yes
Whether reportable Yes