

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

219/2

**CRM-M-34288 of 2020
Date of Decision:13.12.2021**

Raju

..... Petitioner

Versus

State of Haryana

..... Respondent

2)

CRM-M-38906 of 2020

Raju

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. D.S. Virk, Advocate,
for the petitioner at sr. no.1.

Mr. P.K. Ganga, Advocate,
for the petitioner at sr.no.2.

Mr. Munish Sharma, AAG, Haryana

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide these petitions, the petitioners seek the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.334, dated 30.07.2020, having been registered at Police Station Rania, District Sirsa, alleging therein the commission of an offence punishable under Section 22 of the NDPS Act, 1985.

Learned counsel for the petitioners (both named Raju) submit that though the FSL report has now been received, with the petitioners ordered to be admitted to interim bail on account of non-receipt thereof at that stage, the petitioners have never misused the concession of bail and consequently with the trial still not having effectively commenced, inasmuch as only the charge has been framed so far, they may be admitted to bail.

Having considered the matter, the allegation against the petitioners being that 487.5 grams of Tramadol Hydrochloride was recovered from their possession, and there being a bar contained in Section 37 of the NDPS Act, 1985, and nothing having been shown at least at this stage before this court as to how they would be entitled to bail even in terms of sub-section (1)(b)(ii) thereof, I would see no reason to entertain these petitions any further, with them consequently dismissed, but with no comment made on the actual merits of the case.

The interim orders thereby stand vacated, with the petitioners to surrender before the trial court within 10 days from today.

A copy of this order be also placed on the file of the other connected matter too.

December 13, 2021
dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No