

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

CRM-M-39112-2020 (O&M)

Date of decision:25.02.2021

Gurpreet Singh alias Gora

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Satnam Singh Gill, Advocate for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-2546-2021

Application is allowed as prayed for.

CRM-2547-2021

Application is allowed as prayed for.

Annexures A-1 to A-3 are taken on record.

CRM-M-39112-2020

Custody certificate by way of an affidavit dated 24.02.2021 of Deputy Superintendent, District Prison, Kaithal, filed through email, is taken on record.

Status report by way of an affidavit dated 20.02.2021 of Deputy Superintendent of Police (Headquarters), Kaithal, along with Annexures R-1/T, R-2/T and R-1 to R-3 filed in the Registry, is also taken on record.

This is a petition under Section 439 Cr.P.C. for grant of regular bail in case bearing FIR No.283 dated 11.10.2020 registered under Sections 18, 27-A, 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 Act, 1985, at Police Station Kaithal Sadar, District Kaithal.

Learned counsel for the petitioner submits that the petitioner was involved in this case on the disclosure statement of the main accused

Surender Kumar @ Surender Yadav, from whom the recovery of 2 Kg and 100 grams of opium was effected, which falls in the non-commercial quantity. It is further stated that the petitioner has been in custody since 11.10.2020 and there is no other case registered or pending against him.

Learned State counsel points out that though the recovery effected from the main accused falls in the non-commercial quantity, yet the petitioner is indulged in the illicit trafficking of drugs.

I have heard the learned counsel for the parties.

As noticed above, the recovery effected from the main accused falls in the non-commercial quantity. The petitioner has been in custody since 11.10.2020. 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.

25.02.2021
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(HARNARESH SINGH GILL)
JUDGE

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