

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.40065 of 2020
Date of Decision:08.03.2021

KRISHAN

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sandeep Kotla, Advocate
for the petitioner.

Mr.Apoorv Garg, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.142 dated 20.05.2020 registered under Sections 20 of NDPS, Act, 1985 and Section 51(b) of Disaster Management Act, 2005 and Section 188 of IPC at Police Station Safidon District Jind.

Learned counsel for the petitioner states that the recovery effected from the petitioner is 180 grams of charas (sulfa) which is an intermediate quantity and in the other NDPS case, the petitioner stands convicted under Section 20 of the NDPS Act but was sentenced to undergo the period already undergone by him i.e. 15.10.2017 to 13.11.2017 and to pay a fine of Rs.4000/-.

Learned State counsel states that after receipt of the FSL report, challan has been presented, but and charges are yet to be framed.

I have heard the learned counsel for the parties.

The recovery effected from the petitioner is of intermediate quantity. Though the challan has been presented, yet the charges are yet to be framed. The trial would take time to conclude and, thus, 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 petition is allowed and the petitioner is ordered to be released on regular bail on her/his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)

March 08, 2021

JUDGE

Jyoti-IT Whether speaking/reasoned Yes/No Whether Reportable Yes/No