

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-40166 of 2020

Date of Decision: 25.02.2021

Satpal @ Bittu

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Sushil Kumar Verma, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.289 dated 15.09.2020 under Section 15 NDPS Act registered at Police Station Ellenabad, District Sirsa.

As per the FIR, the petitioner along with other co-accused were apprehended by a police party, which was on patrol duty and they were found in possession of 25 kg. of *doda post* without any license or permit.

Learned counsel for the petitioner has argued that the petitioner is in custody since 15.09.2020 and the alleged quantity of the contraband recovered from him is not commercial quantity.

Learned State counsel does not dispute the custody of the petitioner as well as the quantity of the contraband recovered from him. She also submits that there is no other case under the NDPS Act pending against the petitioner.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 15.09.2020 and there is no other case under the NDPS Act pending against him, coupled with the fact that the recovered quantity of the contraband is not commercial in nature and the trial is not likely to be concluded in near future, this Court deems it appropriate to admit the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

February 25, 2021
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No