

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209)

CRM No. M- 45260 of 2021

Date of Decision : 07.12.2021

Rohtash

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Amardeep Singh Sukhija, Advocate for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view advance copy given)

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 124 dated 27.07.2021, registered under Section 15 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Ding, District Sirsa.

Learned counsel for the petitioner argues that the alleged recovery, which has been done from the Car, wherein the petitioner was also sitting, is non-commercial in nature and further, as the investigation is already over and the challan has already been presented, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial as the petitioner undertakes not to influence the trial or the witnesses in any manner in case, he is extended the benefit of regular bail.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana,

who is present in Court, keeping in view the service of advance copy of

petition, accepts notice on behalf of the respondent-State.

Learned State counsel, on the other hand, submits that the petitioner was present along with other co-accused in the Car, which was being driven with a fake registration number plate apart from the contraband, which was recovered though, he concedes that the contraband is of non-commercial quantity. Learned State counsel concedes that the investigation is over and the challan has already been presented.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the contraband recovered is of non-commercial quantity and petitioner is stated to be the passenger in the Car coupled with the fact that investigation is already over and the trial is likely to take some time before the same concludes, no useful purpose will be served in keeping the petitioner behind the bars during the trial, especially, when learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the trial in any manner and will maintain good conduct, if he is granted bail. In case of default of the undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

December 07, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *Yes*