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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-45149-2021
Date of Decision: 25.11.2021

Harish @ Rohit @ Tomwala

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Pradeep Chhoker, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana,
for the respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition for regular bail filed on behalf of the petitioner under Section 439 Cr.P.C. in case FIR No.236 dated 05.08.2021, under Section 20-B of the N.D.P.S. Act (Sections 27-A, 61 & 85 of the N.D.P.S. Act added later on), registered at Police Station Dharuhera, District Rewari.

[2]. Custody Certificate of the petitioner is not produced but from the FIR, it can be made out that the petitioner had been arrested from the spot on the date the FIR was drawn up i.e. 05.08.2021. He has, therefore, remained in detention in the present case for nearly 4 months now.

[3]. After completion of the investigation, Challan against the petitioner has already been submitted, but the trial is yet to commence.

[4]. Recoveries effected from the petitioner being 11.220 kgs. *Ganja* in any case are also below the commercial quantity.

[5]. In such circumstances, without commenting any further on the merits of the present case as a whole, but in view of the detention undergone by the petitioner, the prayer of the petitioner for regular bail is allowed and he is ordered to be released on bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[6]. Disposed off.

25.11.2021

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No