

222

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

**CRM-M-45167-2021
Date of Decision: 06.12.2021**

MOHAMMAD JAHID

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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

Mr. Kanwar Sanjeev Kumar, AAG, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition for regular bail under Section 439 Cr.P.C. on behalf of the petitioner, in case FIR No.260 dated 10.08.2021, under Sections 20 and 29 (Act No.61) of the NDPS Act, registered at Police Station Sadar Narnaul, District Narnaul.

[2]. The petitioner has by now remained in detention for merely 04 months following his arrest on 10.08.2021. The contraband allegedly seized from him is stated to have been in the form of Ganja weighing 20 kg and 280 grams, although Ld. counsel for the petitioner draws attention of the Court to the impugned order passed by the Ld. Additional Sessions Judge, Narnaul, according to which the total recovery effected from the petitioner would actually come to 20 kg and 170 grams. In either case, the recovery happens to be very marginally above the commercial quantity.

[3] The petitioner is reported to have been involved in another case under the NDPS Act, being FIR No.564 dated 09.08.2021 (i.e., just a day

before starting of the present FIR). But he has been granted regular bail by the Ld. Additional Sessions, Judge, Narnaul, in the said case.

[4] After completion of investigation challan against him has already been filed. The trial is yet to commence.

[5] As such, further detention of the petitioner for an indefinite period is not justified.

[6] For the aforesaid reasons, 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.

[7]. Disposed off.

06.12.2021

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**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No