

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

CRM-M-45870-2021 (O&M)

Date of decision: 08.11.2021

Sher Singh

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Parminder Singh, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, 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. 181 dated 08.05.2021, registered under Section 15 of the NDPS Act, at Police Station Butana, District Karnal.

Learned counsel for the petitioner submits that the petitioner was allegedly apprehended with 8.650 kg. of *Poppy Husk* on the basis of a secret information. As far as another case under NDPS Act against the petitioner is concerned, the alleged recovery of 5 kg of *Poppy Husk* was effected in that case and the sentence of the petitioner stands suspended on 19.12.2017. The

petitioner has been in custody since 09.05.2021.

Learned State counsel, while vehemently opposing the prayer for bail submits that the petitioner is a habitual offender. However, he does not dispute the custody period of the petitioner. He submits that the challan stands presented and charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 09.05.2021. The challan stands presented and charges are yet to be framed. Therefore, the conclusion of the trial would take a long time. In another case under NDPS Act, the sentence of the petitioner has already been suspended. 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 his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

08.11.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No