

CRM-M-42753 of 2020

Date of Decision: 19.04.2021

Ranbir Singh @ Sonu

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. D.S. Virk, Advocate, for the petitioner.

Mr. Munish Sharma, A.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed under the provisions of Section 439 Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No. 185 dated 29.08.2020, registered at Police Station Siwan, District Kaithal, for the alleged commission of offences punishable under the provisions of Sections 18 (b)/61/85 of the NDPS Act, 1985.

Pursuant to the earlier orders passed, an affidavit of the Deputy Superintendent of Police, Guhla, dated 06.03.2021, has been filed, which is ordered to be taken on record.

Learned State counsel points out that as per the said affidavit, 02 other criminal cases stand registered against the petitioner, one of them being also under the provisions of Section 15 of the NDPS Act, 1985, with him having been convicted for the commission of that offence, and other offences (and sentenced to 10 years rigorous imprisonment).

Learned counsel for the petitioner, on the other hand, submits that his sentence in that case already stands suspended vide an order dated 06.09.2018 passed by this court (co-ordinate Bench, copy Annexure P-6).

As regards the other FIR registered against him for the alleged commission of offences punishable under Sections 148/149/323/506 of the IPC, he submits that the petitioner has already been acquitted of the said charges.

As regards the case in question presently, he submits that the total quantity of opium alleged to have been recovered from the petitioner (as per the case of the prosecution) is 600 grams, with the commercial quantity being above 2.5 kgs.

That being so, without making any comment on the actual merits of the case, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Chief Judicial Magistrate/Duty Magistrate, concerned.

April 19, 2021

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Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)

JUDGE

Yes
No.