

CRM-M-43226-2020

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

CRM-M-43226-2020

Date of decision: 02.03.2021

Karnail Singh

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. D.K.Mehta, Advocate,
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Status report by way of affidavit of the Deputy Superintendent of Police, Ladwa, has been filed in the Court today. The same is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.508 dated 29.09.2020, under Sections 18 and 29 of NDPS Act, registered at Police Station Sadar Thanesar, District Kurukshetra.

Learned counsel for the petitioner contends that recovery of 100 gram of opium allegedly effected from the petitioner, falls in the non-commercial quantity; that he has been in custody since 29.09.2020; that challan was presented on 27.10.2020; that when he was apprehended, he was a pillion rider on a motor-cycle being driven by co-accused, Ajay, and that so far as other case against the petitioner under the NDPS Act is

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concerned, the same was registered way back on 10.12.2018 in which recovery of 50 gram of opium had allegedly been effected from him.

On the other hand, learned State counsel while opposing the prayer made in the present petition, submits that the petitioner is a habitual offender and is also involved in another case of a similar nature.

I have heard the learned counsel for the parties.

The recovery allegedly effected from the petitioner falls in non-commercial quantity. He has been in custody since 29.09.2020. Trial of the case would take time to conclude. Therefore, 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 present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

It is made clear that in case the petitioner is found misusing the concession of bail and/or found involved in any other case, while on bail, the prosecution would be at liberty to seek cancellation of the bail.

02.03.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No