

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-624-2021 (O&M)
Date of Decision:-12.1.2021

Gopal and another ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kanwaljeet Singh Brar, Advocate for the petitioners.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
assisted by SI Tarachand.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.339 dated 18.10.2020 at Police Station Ellenabad, District Sirsa under Section 15 of Narcotic Drugs and Psychotropic Substances Act.
2. It is alleged in the FIR that on 18.10.2020 both the petitioners alongwith Shankar Lal were intercepted while they were travelling in a Bolero Pick Up and upon checking of the vehicle by the police two plastic bags containing 20 Kgs. each of 'poppy husk' were recovered i.e. a total of 40 Kgs. of 'poppy husk'.

3. It is not disputed that challan already stands presented and that the petitioners are not involved in any other case and that recovered contraband would fall in the category of 'non-commercial' quantity.
4. Having regard to the aforestated factual position, wherein it is a case of 'non-commercial' quantity of '*poppy husk*' and wherein challan already stands presented, further detention of the petitioners will not serve any useful purpose. The petition, as such, is accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

12.1.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No