

227 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-622-2022

Date of decision: 3rd February, 2022

Puran Mal @ kalu

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. V.B. Godara, Advocate for the petitioner.
Ms. Geeta Sharma, DAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 101, dated 28.02.2021, under Section 15 of Narcotic Drugs and Psychotropic Substances Act, 1985(for short 'the Act'), registered at Police Station Fatehabad, District Fatehabad.
3. On 28th February, 2021, police apprehended Pooran Mal @ Kalu and Jagdish @ Jagga while they were travelling on a motorcycle. Twenty kilogram and two hundred thirty grams poppy straw was recovered.
4. Learned counsel for the petitioner submits that petitioner is in custody since 28.02.2021, recovery is of non commercial quantity and investigation is complete.
5. Learned State counsel opposes the prayer for grant of regular bail, submits that antecedents of petitioner are not clean and he is involved

in number of FIRs.

6. Learned counsel for the petitioner submits that petitioner is not involved in any other case under the Act.

7. Considering the custody period, the fact that investigation is complete, conclusion of trial is likely to take time, recovery is of non commercial quantity and involvement of the petitioner in other FIRs in itself would not be a ground for depriving his personal liberty petitioner is directed to be released on bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

8. The petition is allowed.

9. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

3rd February, 2022

Parveen Sharma

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