

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

DECIDED ON: 22nd March, 2022

**(1) CRM-M-718 of 2022
Pawan Kumar**

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

**(2) CRM-M-5787 of 2022
Rajat Prashar**

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. P.S. Mirpur, Advocate and
Mr. J.S. Dhaliwal, Advocate for petitioners.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Petitioners are seeking regular bail in case of FIR No.538 dated 22.10.2021, under Section 21(b) of NDPS Act, 1985, registered at Police Station City Fatehabad, District Fatehabad, Haryana.

As per the allegations, on 22.12.2021 police party checked car bearing registration No.PB01-C-5130. The petitioners were occupants of the Car and fifty-one grams of Heroin was recovered from the pocket of co-accused Jiwan Parkash @ Joni.

Learned counsel for the petitioners submits that the petitioners are in custody since 22.10.2021 and investigation is complete. It is further argued that the alleged recovery from co-accused Jiwan Parkash @ Joni was of non-commercial quantity.

Learned State counsel opposes the prayer for grant of bail and submits that the petitioners are involved in other cases under NDPS Act.

Without commenting upon the merits of the case, considering the quantity of recovered and the fact that investigation is complete and conclusion of trial is likely to take time, bail is granted to the petitioners on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

Photocopy of this order be placed on the file of connected case.

(AVNEESH JHINGAN)
JUDGE

22nd March, 2022

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Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*