

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.14483 of 2021
Date of Decision: March 11, 2022

Ajay Mehta

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.J.S.Dhaliwal, Advocate,
for the petitioner.

Mr.Bhupender Singh, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.92 dated 17.12.2020, under Sections 21 and 22 N.D.P.S.Act, 1985, registered at Police Station, Sector 9 Ambala City, District Ambala, who is in custody since his arrest on 17.12.2020.

As per the allegations in the FIR, on 17.12.2020, 19 injections of Buprenorphine and 19 injections of Avil were recovered from the accused without any permit or licence.

Learned counsel for the petitioner has argued that the recovered contraband (19 injections of Buprenorphine) is marginally above the non-commercial quantity and as the trial is not making any headway, his further custody may not be necessary, particularly when he is not involved in any other case of similar nature. He prays for bail.

On the other hand, learned State counsel, assisted by SI Krishan Lal, has stated that the final report was filed on 04.02.2021, but till date the charges have not been framed. According to him, the recovered contraband is commercial in nature and prays for dismissal of this petition. He, on instructions, further states that the petitioner is not involved in any other case of similar nature.

After hearing the learned counsel for the parties, considering the above background and the pace at which the trial is progressing, this court is of the opinion that the further detention of the petitioner behind the bars may not serve any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Ambala

March 11, 2022
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No