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

CRM-M-13715-2022

Date of decision:01.04.2022

MANJEET SINGH

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Vikas Bishnoi, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. In FIR No.163 of 12.02.2022, registered at Police Station Sadar Hisar, District Hisar, offences constituted under Section 21(B) of NDPS Act, 1985, are embodied.

2. The incriminatory role, as assigned to the petitioner is that of his being a supplier of the seized heroin weighing 29 grams 88 milligrams, and, recovery whereof became effected at the crime site, from the alleged conscious, and, exclusive possession of one Lovepreet Singh.

3. Without going into the merits of the assigning of the above incriminatory role to the bail petitioner, since the learned State counsel, on instructions meted to him by ASI Rajesh Kumar submits, that as a matter of fact the weight of the recovered narcotic substance is about 29 grams 88 milligrams, thereupon, the weight of the seizure concerned, makes it fall within the ambit of intermediate quantity thereof. Therefore, the rigors of Section 37 of the NDPS Act are not applicable thereon, and, the bail petitioner is entitled to his being admitted to bail.

4. Consequently, in the event of the arrest of the bail petitioner, the investigating officer may not arrest the bail petitioner, however, subject to his furnishing personal, and, surety bonds in the sum of Rs.50,000/- each, to the satisfaction of the arresting officer, and, also subject to his rendering co-operation to him, in the investigations to be carried into the offences mentioned in the present FIR. In addition, she shall not tamper with prosecution evidence nor shall influence the prosecution witnesses.

5. Disposed of.

01.04.2022

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**(SURESHWAR THAKUR)
JUDGE**

Whether speaking/reasoned:-	Yes/No
Whether reportable:	Yes/No