

227 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-17790-2022 (O&M)
Date of Decision: 5th May, 2022

Anil Kumar

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Amit Khari, Advocate for the petitioner.
Mr. Surender Singh, AAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. The petitioner is before this Court seeking regular bail in case of FIR No. 81, dated 20th February, 2022, under Sections 20(b), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act') registered at Police Station Cheeka, District Kaithal.
2. The brief facts of the case are that on 20th February, 2022, acting upon a secret information police party raided the shop of Anil Kumar (petitioner), on seeing the police party, petitioner tried to flee along with a white polythene. He was apprehended and from the polythene one kilogram and two hundred forty grams of “*Ganja Phool Patti*” was recovered.
3. Learned counsel for the petitioner submits that petitioner is in custody since 20th February, 2022, recovery is marginally higher than the small quantity as specified in Schedule to the Act and no further recovery is to be made.
4. Learned State counsel opposes the prayer for regular bail and

submits that petitioner is involved in another FIR under the Act.

5. Learned counsel for the petitioner submits that petitioner is on bail in the other FIR.

6. Without commenting upon the merits of the case, considering the nature and quantity of the recovery, as also that conclusion of investigation and trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

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

9. Since the main case is disposed of, pending application, if any, are rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

5th May, 2022
Parveen Sharma

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