

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

CRM-M-21904 of 2022 (O&M)

DECIDED ON: 25th May, 2022

Sachin Kumar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Amit Choudhary, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Petitioner is seeking regular bail in case of FIR No.85 dated 29th March, 2022, under Section 17, 18(c), 61 of NDPS Act, registered at Police Station Radaur District Yamuna Nagar.

As per the case set up the petitioner had grown *opium* plant in an abandoned house belonging to him. The recovery was of 7 kg and 700 gram of plants.

Learned counsel for the petitioner submits that the petitioner is in custody since 29.3.2022. It is a case of false implication. The house was abandoned. The alleged recovery is of non-commercial quantity. Petitioner is not involved in any other case.

Learned State counsel opposes the prayer.

Without commenting upon the merits of the case, considering that the petitioner has no criminal antecedents and the alleged recovery is non-commercial, bail is granted to the petitioner 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.

Since the main case has been decided, the pending application, if any is rendered infructuous.

25th May, 2022

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>