

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

215

CRM-M-32746 of 2022 (O&M)

DECIDED ON: 2nd August, 2022

Ajay @ Sonu

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. A.S. Shera, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

This is a petition seeking regular bail in case of FIR No.226 dated 6.6.2022, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act'), registered at Police Station Butana, District Karnal.

As per the case set up on 19.4.2022 police acting upon a secret information apprehended petitioner-Ajay @ Sonu and 1 kilogram 125 grams of poppy husk was recovered from his conscious possession.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He is in custody since 6.6.2022. No further recovery is to be made. Petitioner is not involved in any other case under the Act.

Learned State counsel opposes the prayer and submits that the petitioner was selling the poppy husk in small quantity, however, on instructions is not disputing the fact that the recovery was of 1 kilogram 125 grams of poppy husk.

Without commenting upon the merits of the case, considering that the recovery is of non-commercial quantity from the petitioner, the petitioner has no criminal antecedents, conclusion of trial is likely to take time, 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.

(AVNEESH JHINGAN)
JUDGE

2nd August, 2022
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>