

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-34762 of 2022

Date of Decision: 16th August, 2022

Virender

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Ms. Veena Hooda, Advocate for the petitioner.
Mr. Viney Phogat, DAG, Haryana.

AVNEESH JHINGAN, J.(Oral)

This is a petition seeking regular bail in FIR No. 115 dated 23.5.2022, under Section 20 of the Narcotic Drugs & Psychotropic Substances Act, 1985, (for short, 'the Act') registered at Police Station Sadar Bahadurgarh.

As per the case set up, on 23.5.2022, the police acting upon a secret information apprehended riders of motor cycle bearing registration No. HR-79-9592, the petitioner was the driver. From a bag kept in between the driver and pillion rider, 1.240 kgs. of Ganja and Rs.10,000/- cash were recovered.

Learned counsel for the petitioner submits that no recovery was made from the petitioner, the recovery was from the bag carried by the pillion rider. It is a case of false implication and the recovery is of non-commercial quantity. The submission is that the petitioner is not involved in any other case under the Act.

Learned counsel for the State opposes the prayer for grant of regular bail.

Without commenting on the merits of the case, considering that the recovery is of non-commercial quantity, the petitioner has no criminal antecedents, 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.

The petition is allowed.

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

(AVNEESH JHINGAN)
JUDGE

16th August, 2022
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Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No