

CRM-M-36407-2022

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

CRM-M-36407-2022

Date of decision: 27.09.2022

Sanjeet

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Parveen Kaushik, Advocate,
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.171 dated 29.04.2022, registered at Police Station City Jhajjar, District Jhajjar, under Section 21 NDPS Act, 1985.

Status report dated 21.09.2022, by way of affidavit of the Deputy Superintendent of Police, City Jhajjar, District Jhajjar, filed in the Registry, is taken on record.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that recovery of 6.10 gram heroin, allegedly effected from the petitioner, falls under the non-commercial quantity; that there is no other case registered or pending against the petitioner, under the NDPS Act, and that the petitioner has been in custody since 29.04.2022.

On the other hand, learned State counsel opposes the grant of bail to the petitioner. However, he does not dispute the fact that the

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recovery of contraband effected from the right pocket of the petitioner, falls under the non-commercial quantity.

I have heard the learned counsel for the parties.

Indisputably, the recovery of contraband allegedly effected from the petitioner, falls under the non-commercial quantity. Charges have been framed. Out of 14 prosecution witnesses, none has been examined so far. The petitioner has been in custody since 29.04.2022. Trial is unlikely to conclude any time soon. There is no other case pending or registered against the petitioner, at least of a similar nature. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

27.09.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No