

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-37930-2022

Date of Decision: 30.08.2022

Rameshwar Lal

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. MS Saini, Advocate for the petitioner

Mr. Surender Singh, AAG Haryana

Sandeep Moudgil, J. (Oral)

(1) The petitioner has filed petition under Section 439 CrPC seeking regular bail in case FIR No.113 dated 22.05.2022 under Section 17 of Narcotics Drug and Psychotropic Substances Act, 1985 registered at Police Station Sadar Bahadurgarh, District Jhajjar.

(2) Learned counsel for the petitioner contends that the recovery of 700 gms of opium was effected from the petitioner and arrested on 22.05.2022 whereas challan was presented on 19.07.2022. He asserts that the alleged recovery is non-commercial in quantity.

(3) Notice of motion.

(4) On the asking, Mr. Surender Singh, AAG Haryana accepts notice.

(5) Learned State counsel submits, on instructions from SI Shri Bhagwan, that the challan has already been filed on 19.07.2022 and the case is listed for framing of the charges.

(6) Considering the fact that the petitioner is behind the bars for the last 3 months; the charges are yet to be framed though challan has been presented and investigation is complete as also in the light of the fact that

recovery of non-commercial quantity and that the conclusion of the trial is likely to take time, this petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Illaqa Magistrate, Jhajjar.

30.08.2022
V.Vishal

(Sandeep Moudgil)
Judge

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| 1. <i>Whether speaking/reasoned?</i> | <i>Yes/No</i> |
| 2. <i>Whether reportable?</i> | <i>Yes/No</i> |