

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

Sr. No.211

CRM-M-45637of 2021

Date of Decision: 14.03.2022

Ravinder Singh

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Ms. Kanika Ahuja, Advocate
for the petitioner.

Mr. Amreek Singh Narwal, DAG, Haryana.

SANT PARKASH, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.577 dated 09.09.2021, registered under Sections 15, 29, 61 and 85 of NDPS Act at Police Station Shahabad, District Kurukshetra.

Learned counsel for the petitioner contends that the petitioner has been implicated only on the basis of disclosure statement of co-accused namely Happy, from whose possession the alleged recovery of 2 kg. 300 grams of poppy straw has been effected and nothing has been recovered from the possession of present petitioner. Moreover, the alleged recovery of contraband falls under intermediate quantity and the petitioner has undergone approximately 06 months of incarceration.

In compliance of order dated 03.11.2021, status report by way of affidavit of DSP, Kurukshetra has been filed and the same is taken on record.

Learned State counsel although opposes the prayer made on behalf of the petitioner but he does not dispute the facts with regard to the custody period undergone by the petitioner as well as the recovery of contraband falling under intermediate quantity. It is also submitted in the status report filed on behalf of the State that only a recovery of Rs.2500/- was effected from the wearing pant of the petitioner.

Heard.

The alleged recovery of contraband i.e. 2 kg. 300 grams poppy straw, which falls under intermediate quantity, was effected from the possession of co-accused. Only Rs.2500/- were got recovered from the wearing pant of the petitioner during investigation and the petitioner is in custody since 09.09.2021. Further, the final report under Section 173 Cr.P.C. stands presented and no useful purpose would be served by keeping the petitioner behind bars. Moreover, conclusion of the trial will take some time keeping in view the prevailing pandemic situation.

Taking into consideration the totality of the circumstances and without commenting on the merits of the case, it is considered as appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial court/Duty Magistrate/Chief Judicial Magistrate concerned.

Ordered accordingly.

Accordingly, the present petition stands allowed.

**(SANT PARKASH)
JUDGE**

14.03.2022
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No