

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-44725-2022 (O&M)
Date of Decision:-20.12.2022

Rajbir Singh @ Raja

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sahil Gambhir, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Naresh Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.673, dated 16.7.2022, Police Station Shahabad, District Kurukshetra, Haryana, under Sections 18/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985, wherein offence under Section 29 of NDPS Act was added later on.
2. The FIR was lodged on the basis of secret information received by the police to the effect that Rajbir Singh (petitioner) indulges in consuming and selling of '*opium*' and that even on the given day he was carrying '*opium*' and was proceeding to Bus Stand Shahabad. Pursuant to receipt of said information, the police was able to apprehend Rajbir Singh and from whose possession 500 grams of '*opium*' was recovered.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and otherwise enjoys a clean record. It has further been submitted that the recovered contraband, in any case, will fall in the category of 'non-commercial' quantity and, as such, he deserves to be released on bail.
4. Opposing the petition, learned State counsel has submitted that since the petitioner was caught red-handed while in possession of 500 grams of 'opium', his complicity is clearly evident and that he does not deserve to be released on bail.
5. This Court has considered the rival submissions.
6. It is not disputed that the recovered contraband i.e. 500 grams of 'opium' would fall in the category of 'non-commercial' quantity. The petitioner is not stated to be involved in any other case. Charges in the present case are yet to be framed and as many as 12 PWs have been cited. It goes without saying that in such circumstances conclusion of trial is likely to consume time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

20.12.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No