

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

CRM-M-53847 of 2021

DECIDED ON: 7th January, 2022

Ishwar Singh @ Bablu

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. M.S. Rana, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No.226 dated 1.9.2021, under Sections 20/29/61 NDPS Act, 1985, registered at Police Station, Sector 17, District Faridabad.

The police party acting upon a secret information checked the Auto bearing registration No.HR-68-X-7989. Fifteen kilogram and Two hundred Eighty-six grams Ganja was recovered from three packets. The Auto was being driven by Yogesh, petitioner-Ishwar Singh @ Bablu was the passenger.

Learned counsel for the petitioner submits that the petitioner had hired the Auto. He is neither the owner nor the driver of the Auto. It is further submitted that the recovery is of non-commercial quantity and the petitioner is not involved in any other case.

Learned State counsel on instructions opposes the prayer for grant of bail and submits that the challan stands presented.

The petitioner is in custody since 1.9.2021, investigation is complete, no recovery is to be made, petitioner has no criminal antecedents and recovery from the Auto was of non-commercial quantity, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

7th January, 2022
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>