

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

CRM-M-34 of 2022

DECIDED ON: 12th January, 2022

Manjit Singh and another

.....PETITIONERS

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Arpandeep Narula, Advocate for petitioners.

Mr. Karan Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

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

Petitioners are before this Court seeking regular bail in case of FIR No. 401 dated 23.9.2021, under Section 22 of NDPS Act, 1985, registered at Police Station Sadar Sirsa, District Sirsa.

Police party apprehended both the petitioners on 23.9.2021 and 450 tablets of Tramadol were recovered.

Learned counsel for the petitioners submits that the petitioners are in custody since 23.9.2021, recovery is of non-commercial quantity. Contention is that the recovery has been falsely implanted due to their earlier involvement in NDPS Act and they are on bail in that case.

Learned State counsel opposes the prayer for grant of bail and submits that earlier the petitioners are involved in one case each under the NDPS Act, challan stands presented and charges are yet to be framed.

Recovery from the petitioners is of non-commercial quantity, investigation is complete, albeit challan stands presented, conclusion of trial is likely to take time and involvement of petitioners in other cases itself would not be a ground to deprive them of their personal liberty, bail is granted to the petitioners on their 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.

12th January, 2022
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>