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

CRM-M-5723-2023

Decided on:-08.02.2023

Suresh

....Petitioner..

VS.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kamal Chaudhary, Advocate,
for the petitioner.

Mr. Sumit Jain, Additional Advocate General, Haryana
for respondent-State.

HARKESH MANUJA J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., the petitioner prays for grant of regular bail during pendency of trial in case FIR No.327 dated 01.10.2022, under Sections 20/29 of the NDPS Act, registered at Police Station Ballabgarh Sadar, Faridabad.

Learned counsel for the petitioner submits that the allegations against the petitioner are regarding alleged recovery of 6.270 kg. “ganja”. Learned counsel also submits that in the present case investigation stands concluded with the filing of challan on 19.12.2022, though without submission of report of FSL. He further submits that out of total of 13 witnesses as cited by the prosecution, no one has been examined so far and trial is likely to take some time, thus, prays for concession of regular bail.

On the other hand, learned State counsel opposes the prayer made in the present petition by submitting that the custody in the present

case is less.

I have heard learned counsel for the parties and gone through the paper book. I find merits in the submissions made on behalf of the petitioner.

Considering the fact that the petitioner is in custody for the past more than 4 months now and the investigation already stands concluded, challan filed and none of the prosecution witnesses has been examined so far, besides it, even the report of chemical examiner from FSL has not been received, no useful purpose is going to be served by extending the incarceration of the petitioner.

In view of the above, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

08.02.2023
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(HARKESH MANUJA)
JUDGE

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