

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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CRM-M-12207-2023

Date of Decision: 16.03.2023

Jagsir Singh @ Jagsir Ram

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. P.S. Sekhon, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate dated 15.03.2023, filed by learned counsel for the State, is taken on record.

The petitioner has filed the present petition under Section 439 Cr.P.C., for grant of regular bail in case FIR No. 181 dated 06.11.2022 registered under Sections 21-B and 27-A of the NDPS Act at Police Station Jakhal, District Fatehabad.

According to the prosecution story, the petitioner along with his co-accused-Hardeep Singh, on suspicion were apprehended by SI Shishpal, while they were travelling in a white car bearing registration No. HR-26-BR-7982 and recovery of 09.08 grams of heroin was effected from the conscious possession of the accused in the presence of Sanjay Sachdeva, ADO, Jakhal. During interrogation, the petitioner and his

co-accused-Hardeep Singh, had suffered disclosure statements qua purchase of 10 grams of heroin from accused Sukha @ Navi @ Kala.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. The contraband recovered from the petitioner falls under the category of 'non-commercial quantity'. Petitioner is in custody since 06.11.2022. He is not involved in any other case under the NDPS Act. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Thus, it is prayed that the petitioner may be released on regular bail.

On the other hand learned State counsel has opposed the present petition.

Keeping in view the facts and circumstances of the case, period of custody and the fact that the contraband recovered from the petitioner falls under the category of 'non-commercial quantity', but without commenting anything on merits of the case, the present petition is allowed.

The petitioner-Jagsir Singh @ Jagsir Ram, is ordered to be released on regular bail subject to furnishing her bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

March 16, 2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No