

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

234

CRM-M-15016-2023

Date of Decision: 26.04.2023

Shyam Sunder Paswan

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Mohan Singh Rana, Advocate for
Mr. Lalit Kumar Yadav, Advocate for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

ASHOK KUMAR VERMA, J. (ORAL)

1. Custody certificate dated 25.04.2023, filed by learned counsel for the State is taken on record.

2. The petitioner has filed the present petition under Section 439 Cr.P.C., for grant of regular bail in case FIR No. 269 dated 22.11.2022 registered under Section 22(b)(ii)(B) of the NDPS Act at Police Station Sushant Lok, District Gurugram.

3. According to the prosecution story, on 02.01.2023, the petitioner was apprehended by the police with conscious possession of 2 Kg. and 100 grams of Ganja, without any permit of licence.

4. Learned counsel, *inter alia*, contends that the petitioner has been falsely implicated in the present case. The quantity contraband recovered from the petitioner falls within the category of 'intermediate

quantity’. Petitioner is not involved in any other case. He is in custody since 22.11.2022. 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.

5. On the other hand learned State counsel vehemently opposed the submissions of learned counsel for the petitioner. However, he fairly conceded the fact that the petitioner is not involved in any other case.

6. Keeping in view the facts and circumstances of the case, period of custody and the fact that the quantity of contraband recovered from the petitioner falls within the category of ‘intermediate quantity’, but without commenting anything on merits of the case, the present petition is allowed.

7. Petitioner-Shyam Sunder Paswan, is ordered to be released on regular bail on his furnishing personal/02 surety bonds, out of which 01 should be a local surety to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

26.04. 2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No