

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23234-2023
Date of Decision: May 12, 2023

SOHAN SINGH Petitioner
Versus
STATE OF HARYANA Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Mayank Sharma, Advocate for the petitioner.
Mr. Ramesh Kumar Ambavta, A.A.G., Haryana.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of bail in case FIR No.165 dated 14.03.2023 registered under sections 15, 61 and 85 of Narcotic Drugs and Psychotropic Substances Act, 1985 at P.S. Shahbad, Kurukshetra.
2. The allegations levelled against the petitioner are of alleged recovery of 25 Kgs of Poppy Husk from the Canter wherein the petitioner was engaged as a helper.
3. Learned counsel for the petitioner submits that the alleged recovery is of non-commercial quantity and there is no other case of similar nature pending against the petitioner who has suffered incarceration for a period of more than two months now and the investigation in the present case already stands concluded with the filing of challan.
4. On the other hand, prayer made herein has been vehemently opposed by learned State counsel while submitting that the recovery was effected from the vehicle wherein the petitioner was engaged as a helper.

CRM-M-23234-2023

-2-

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

6. Considering the fact that the petitioner has suffered incarceration for a period of more than two months and investigation already stands concluded with the filing of challan besides the fact that there is no other case of similar nature pending against the petitioner and the recovery being non-commercial in nature, I do not see any justified reason to extend the incarceration of the petitioner.

7. Without commenting upon merits of the present petition, the same is allowed. Petitioner is ordered to be released on bail subject to his furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

12.05.2023

Tejwinder

(HARKESH MANUJA)
JUDGE

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