

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

**Neutral Citation No. 2023:PHHC:107338
CRM-M-39571-2023
Date of Decision: August 18, 2023**

Gabbar Singh @ Parmod

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Brijender Kaushik, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.0062, dated 20.03.2023, under Section 22 of the NDPS Act, 1985, registered at Police Station Shahzadpur, District Ambala, Haryana.

Allegations against the petitioner are that 160 capsules of Dicyclomine Hydrochloride Tramadol Hydrochloride containing weight of 86.4 grams of the contraband were recovered from the possession of the petitioner, which falls in the medium category.

It is contended by learned counsel for the petitioner that petitioner has been falsely implicated; that he has no criminal antecedent; that he is in custody for the last more than 04 months and that the trial is likely to take time and so he be allowed bail.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of respondent-State.

Learned State counsel opposes the bail petition by pointing out that the recovery effected from the petitioner. It is also submitted that the total weight of the capsules was 202 grams, but it is conceded that this weight includes the weight of the strips.

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As per custody certificate placed on record, the petitioner is in custody for the last 04 months and 27 days with no criminal antecedent.

Having regard to the fact that contraband allegedly recovered falls in the medium category and the petitioner has no criminal antecedent, but without commenting anything on the merits of the case, the petitioner is admitted to bail. He is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

Allowed.

August 18, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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