

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.209

Case No. : CRM-M-44478-2022

Date of Decision : February 02, 2023

Arun Petitioner

vs.

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

* * *

Present : Mr. Lajpat Rai Sharma, Advocate
for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

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GURBIR SINGH, J. :

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.320 dated 27.05.2022, under Section 21 of the NDPS Act, 1985, registered at Police Station Civil Lines, District Karnal.

Reply by way of affidavit of Mukesh Kumar, HPS, Deputy Superintendent of Police (Headquarter), Karnal, on behalf of State of Haryana, has been filed today in Court which is ordered to be taken on record.

Learned counsel for the petitioner states that as per prosecution version, 50.40 grams of *heroin* was recovered from the possession of the petitioner on 27.05.2022. Challan in this case has already been presented.

The petitioner is in custody since 27.05.2022.

Learned State Counsel, on the other hand, has opposed the prayer made by learned counsel for the petitioner only on the ground that there are 11 other cases registered against the petitioner but he fairly concedes, as also mentioned in the reply filed today in Court that none of these 11 cases is under the NDPS Act.

Heard.

In this case, recovery of the contraband is less than the commercial quantity. Keeping in view the fact that the petitioner is in custody since 27.05.2022, the challan has also been presented and the completion of trial will also take a long time, no useful purpose would be served by keeping the petitioner behind bars for a long period.

Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Trial Court/Duty Magistrate, Karnal.

However, nothing contained herein above shall be construed as an expression of opinion on the merits of the case.

February 02, 2023
monika

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.