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

CRM-M-47758-2023

Date of decision : 26.02.2024

Rajender @ Mophal @ Anil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present : Mr. K.L. Saini, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

HARKESH MANUJA.J. (ORAL)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.33 dated 20.05.2011 registered under Section 20 of the NDPS Act at Police Station Garhi, District Jind (Haryana), wherein the petitioner was apprehended against the alleged recovery of 200 gm of charas.

2. The prayer made on behalf of the petitioner has been opposed by learned State counsel while submitting that the petitioner is involved in eighteen more cases, out of which, three relate to the provisions of NDPS Act and although in one case, the petitioner stands acquitted whereas in other two cases in which quantity involved is of commercial in nature, he is facing trial.

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

4. Considering the fact that the investigation in the present case, already stands concluded with the filing of challan and trial is likely to take some time, besides it, the petitioner is already behind the bars for the last almost 09 months, I do not find any reason to extend the incarceration of the petitioner any further.

5. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

6. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

(HARKESH MANUJA)
JUDGE

26.02.2024

monika

Whether speaking/reasoned ? Yes/No

Whether Reportable ? Yes/No