



CRM-M-51887-2024

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

(240)

CRM-M-51887-2024

Date of Decision : 24.10.2024

Hunny Chhabra

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vikas Saroha, Advocate for
Mr. Balraj Gujjar, Advocate for the petitioner.

Mr. Abhinash Jain, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, filed under Section 483 of BNSS, 2023, the petitioner prays for grant of regular bail in case FIR No.264 dated 27.06.2024 (Annexure P-1), under Sections 21-B of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station SGM Nagar, Faridabad, Haryana.

2. In the instant FIR, 60 Buprenorphine and Naloxone Sublingual Tablets IP Vernor-N, weighing 5.7 grams, has been effected from the present petitioner. It is not in dispute that the recovery, which is effected from the present petitioner, does fall under the ambit of non-commercial quantity. The petitioner has suffered incarceration of about 04 months, as on today, and he is not involved in any other case and has clean antecedents.

3. Learned State counsel, after having instructions from the quarter concerned, informs this Court that final report after completion of the investigation has been filed on dated 24.08.2024, and charges are yet to be

framed in the instant case. The prosecution has cited total 16 witnesses, out of which, none has been examined, as on date.

4. Learned State counsel, has also placed on record the custody certificate dated 22.10.2024, qua the petitioner, today in the Court. The same is taken on the record.

5. This Court has heard the rival submissions made by the learned counsel for the parties concerned, and is of the view that the instant petition is amenable to be allowed for the reasons hereinafter extracted :-

(i) that the petitioner has suffered incarceration of about 04 months, as on today, and charges are yet to be framed in the instant case;

(iii) The recovery effected from the present petitioner, does fall under the ambit of non-commercial quantity, and the trial is at the initial stage, in the instant matter, as no prosecution witness has been examined so far whereas, the prosecution has cited total 16 witnesses;

(iv) Further, the petitioner has clean antecedents and he is not involved in any other case.

6. In view of the above, the instant petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/trial Court/Duty Magistrate, concerned.

7. However, anything observed hereinabove shall have no effect on the merits of the case and is meant for deciding the present petition only.

(KULDEEP TIWARI)
JUDGE

October 24, 2024
Manpreet