

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

**CRM-M No.357 of 2024 (O&M)**

**Date of decision : 12.01.2024**

Satish ..... Petitioner

versus

State of Haryana ..... Respondent

**CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN**

**\*\*\***

Present :- Mr. R.N.Lohan, Advocate  
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

**\*\*\***

**PANKAJ JAIN, J. (ORAL)**

1 This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.270 dated 15.09.2023 registered under Sections 15/27A-61-85 of NDPS Act at Police Station Safidon, District Jind.

2 The allegation qua the petitioner is of being in conscious possession of 50 kg 300 grams of poppy straw which was recovered from his person and it is the case of the prosecution that another 40 kgs of poppy straw was recovered on his disclosure.

3 Learned counsel for the petitioner submits that commercial quantity is above 50 kgs. and in the contraband weighing 50 kg 300 grams, 300 grams can be attributed to the gunny bags as well as mechanical/manual error in weighing.

4 Custody certificate has been filed. The same is taken on record. As per custody certificate, the petitioner is behind bars since 15.09.2023 and has clean antecedents.

5            Learned State counsel on instructions from Investigating Officer is not in a position to dispute the aforementioned factual assertions based on record.

6            I have heard learned counsel for the parties and have gone through the records of the case.

7            Without commenting on the merits of the case and considering the incarceration suffered by the petitioner, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned. However, in addition to conditions that may be imposed by the Trial Court/Duty Magistrate concerned, the petitioner shall remain bound by the following conditions :-

- (i) The petitioner shall not mis-use the liberty granted.*
- (ii) The petitioner shall not tamper with any evidence oral or documentary during the trial.*
- (iii) The petitioner shall not absent himself on any date before the trial.*
- (iv) The petitioner shall not commit any offence while on bail.*
- (v) The petitioner shall deposit his passport, if any with the trial Court.*
- (vi) The petitioner shall give his cellphone number to the police authorities and shall not change his cell-phone number without permission of the trial Court.*
- (vii) The petitioner shall not in any manner try to delay the trial.*

8            Needless to say anything recorded herein shall not be construed as an expression of opinion on the merits of the case.

( PANKAJ JAIN )  
JUDGE

12.01.2024  
Pooja sharma-I

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether Reportable :      | No  |