

Law Today Live Doc. Id. 15276

PUNJAB AND HARYANA HIGH COURT

Before: Ramendra Jain, J.

CRM-M-24079-2020 (O&M)

Decided on: 25.08.2020

Ram Karan

Petitioner

Versus

State of Haryana

Respondent

Present:

Ms. Harpreet Kaur Arora, Advocate for the petitioner.

Mr. Sumit Gupta, Addl. A.G., Haryana.

Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985), Section 18, 61, 85 -- Code of Criminal Procedure, 1973 (2 of 1974), Section 439 -- NDPS matter -- 2nd petition for regular bail -- Recovery of 217 kgs of poppy husk -- Petitioner is in custody since 05.12.2018, conclusion of trial may take a sufficient long time -- Petition allowed, petitioner ordered to be released on bail during pendency of trial.

(Para 2-6)

RAMENDRA JAIN, J. (ORAL) –

1. Case has been taken up for hearing through video conferencing due to the outbreak of Pandemic COVID-19.

2. Through this 2nd petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.409 dated 05.12.2018, registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Ladwan, District Kurukshetra., District Kurukshetra.

3. Petitioner is facing trial in the aforesaid FIR on the allegations that on 04.12.2018, he was apprehended with conscious possession of 217 Kgs. of poppy husk, without any permit or licence.

4. Learned counsel *inter alia* contends that petitioner is in custody since 05.12.2018. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

5. On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

6. Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner Ram Karan is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

Petition allowed.
