



In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-11218-2025 (O&M)

Date of Decision: 11.03.2025

HARSH GILL

.....PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE H.S.GREWAL

Present: Mr. Amit Jaiswal, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No.500 dated 13.12.2024, under Section 21/61/85 of the NDPS Act registered at Police Station Ambala Cantt.
2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that it is alleged that the petitioner was in possession of 16 grams of heroin, which is more than small quantity but much less than the commercial quantity. He also contends that the contraband was weighed along with the polythene bag, therefore, the weight of the polythene bag is to be excluded from the total weight of contraband. The petitioner is in custody for 02 months and 27 days. He further contends that the petitioner is not involved in any other case under the NDPS Act. Thus, it is prayed he may be granted the concession of regular bail.

3. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner and submits that in case the petitioner is granted the concession of regular bail, he will misuse the same. The challan has been presented on 07.02.2025 but charges are yet to be framed. He has filed the custody certificate of the petitioner, which is taken on record.

4. I have heard learned counsel for the parties.

5. In view of the above especially when the trial is not likely to be concluded in the near future; petitioner is not involved in any other case under the NDPS Act and the fact that the petitioner is in custody for 02 months and 27 days, I deem it a fit case to grant the concession of regular bail to the petitioner.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

11.03.2025

A.Kaundal

(H.S.GREWAL)
JUDGE

Whether speaking/ reasoned :

Yes/No

Whether Reportable :

Yes/No