

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

Crl.Misc.No.M-11053 of 2015(O&M)

Date of Decision : 12.05.2015

Amandeep Singh alias Amna

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr.Tarun Singla, Advocate for the petitioner

Mr. K.S.Pannu, DAG, Punjab

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 49 dated 10.10.2012 registered under Sections 15, 61, 85 of NDPS Act at Police Station Joga, District Mansa.

Learned counsel for the petitioner states that the petitioner is in custody since January, 2015 and he was not arrested from the spot. His identity therefore is seriously in question. According to the allegations, 80 kg poppy husk was recovered from the petitioner and one another person.

Learned counsel for the State contends that the co-accused of the petitioner already stands convicted which would indicate that the allegations against the petitioner are correct. As against this learned counsel for the petitioner reiterates that since he was not arrested from the spot and there is no other material to implicate him he has been falsely involved.

Be that as it may, without commenting upon the merits of the case but looking at the fact that the petitioner is in custody since January,

2015 and was not arrested from the spot, the instant petition is allowed. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C . Bail to the satisfaction of learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

May 12, 2015
rekha

(Mahesh Grover)
Judge