

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

**CRM-M-13602 of 2015
Date of Decision: 06.05.2015**

Mandeep Singh ... Petitioner

Versus

State of Punjab ...
Respondent

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Harkeerat Singh, Advocate
for the petitioner.

Mr. Varun Sharma, AAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

Prayer is for grant of regular bail to the petitioner in case FIR No.122 dated 09.09.2009 under Sections 15/25/61/85 of NDPS Act registered at Police Station Raikot.

The FIR was registered on the basis of secret information, wherein it was alleged that Harpreet Singh @ Gurpreet Singh @ Gurmail Singh @ Ghona used to bring poppy husk from other States through truck and supply the same to smuggler in the area of Raikot, Jagraon and Barnala. Hardeep Singh, Buta Singh and Mana used to help him in supply. It was alleged that the aforesaid persons have brought huge quantity of poppy husk in truck bearing No. HR 37-A-8956 on the said day, whose driver was stated to be one Lakha resident of Lohatbaddi. The information was treated to be trustworthy and raid was conducted and persons were

apprehended. Petitioner was not apprehended from the spot.

Allegation against petitioner is that he is owner of the truck along with his brother Pavittar Singh. At one point of time petitioner was declared as proclaimed offender and subsequently on his surrender he was taken in custody. The recovery effected from the truck is 45 gunny bags each containing 35 kg of poppy husk. Learned counsel for the petitioner states that petitioner is not owner of the truck nor his brother has purchased the same. The affidavit filed by original owner Avtar Singh and his brother Pavittar Singh do not in any way advance ownership of the petitioner in any manner.

Learned counsel further states that there is no material available on record except the aforesaid 2 affidavits in respect of connecting the petitioner with the truck. Pavittar Singh has already been granted benefit of anticipatory bail by this Court in CRM-M-18109 of 2010 vide order dated 17.11.2010.

Petitioner is in custody for the last 9 months and 16 days.

Without commenting on the merits of this case, it is deemed appropriate to grant benefit of regular bail to the petitioner subject to his furnishing adequate bail bonds to the satisfaction of CJM/Ludhiana.

May 06, 2015
prince

(RAJ MOHAN SINGH)
JUDGE