IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 13936 of 2015 (O&M)
Date of decision: 27.07.2015.

Major Singh ..... Petitioner.

Versus

State of Punjab ..... Respondent.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. Vikram Jeet Singh, Advocate, for the petitioner.

Mr. K.S. Pannu, DAG, Punjab, for the respondent.

NAVITA SINGH, J. (ORAL)

This petition has been moved by the petitioner under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No. 54 dated 05.06.2014, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act of Police Station Baretta, District Mansa.

The petitioner was allegedly found in possession of 6.25 quintals of poppy husk. He was the driver of the vehicle in which the drug was being transported. However, there were three other persons present with him.

It is submitted by counsel for the petitioner that Gaurav, who was allegedly present with the petitioner, was granted bail.

State counsel, however, contended that Gaurav was granted bail because he was not apprehended at the spot and he had escaped. Kamal and Pappu are in custody.

Only two witnesses have been examined by the prosecution so

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far and the petitioner is in custody since 05.06.2014. Merely because Gaurav had fled from the spot, it could not be said that his case was on better footing for grant of bail.

In view of the above, the request of the petitioner for bail is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of trial Court with a direction that heavy surety be demanded from the petitioner.

(NAVITA SINGH)
JUDGE

27.07.2015
Ramesh

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