

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-14938-2015

Date of decision : 03.07.2015

Sukha @ Kulbir Singh

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Madan Sandhu, Advocate
for the petitioner.

Mr. G.S. Salwara, DAG, Haryana.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No.163 dated 30.11.2014, registered under Section 15 of the NDPS Act, Police Station Rori, District Sirsa.

Learned counsel for the petitioner contends that the recovery is of 3 bags of poppy husk from two persons and though it is slightly above the commercial quantity but it is attributed to two persons.

Heard.

In ***Ram Singh Vs. State of Punjab***, 2008(4) RCR (Crl.) 697, this Court has held as under:-

“The quantity recovered is 60 kg. Though it is commercial in nature but it is attributed to three persons. In

that context it is possible to argue that it is slightly above commercial quantity. Without any comment on merit, bail to the satisfaction of Chief Judicial Magistrate, Mansa.”

The recovery has been effected from a car which had two occupants. The petitioner is in custody since November, 2014. The recovery is slightly above commercial quantity. Without commenting on the merits, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court.

03.07.2015
sunil

(ANITA CHAUDHRY)
JUDGE