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

**CRM-M No.20304 of 2015
Date of Decision: 30.06.2015**

BINDER SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Darshan Singh Malwai, Advocate
for the petitioner.

Mr. Varun Sharma, A.A.G., Punjab.

1. *Whether Reporters of local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.120 dated 28.06.2014, under Section 15/61/85 NDPS Act, P.S. City Samana, District Patiala.

The alleged recovery is of 55 kgs. of poppy husk which is slightly more than the limit prescribed for non-commercial quantity.

Learned counsel for the petitioner states that petitioner was not apprehended from the spot, rather both the accused are alleged to have run away from the spot. Co-accused of petitioner namely Soni has already been granted bail under Section 167(2) Cr.P.C..

Learned counsel for the petitioner submits that petitioner is

in custody since 22.02.2015.

Learned State counsel states that challan has already been presented and charges have been framed. The recovery is marginally above the prescribed quantity.

Keeping in view the fact that petitioner was not arrested from the spot and his co-accused has already been granted bail, let petitioner be enlarged on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate, Patiala.

Accordingly, this petition is allowed.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

June 30, 2015.

Atik

(RAJ MOHAN SINGH)
JUDGE