

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

**C.R.M-M No.27808-2015 (O&M)
Date of Decision : 27.08.2015**

Om Parkash Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, 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?

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.71 dated 11.05.2015 registered under Sections 15/61/85 NDPS Act at Police Station Maqsudan, Jalandhar.

The recovery is stated to be 4 kg of poppy husk. The petitioner has admittedly been in jail since 11.05.2015.

On the last date learned Deputy Advocate General has sought time to verify the innocence of the petitioner. Today learned Additional Advocate General on instructions from ASI Bakshi Singh, has

stated that in the year 2004 also petitioner had been once convicted under NDPS Act but that was also the case of non-commercial quantity. Apart from that he was acquitted in one case registered under NDPS Act.

In the circumstances, keeping in view the entire factual matrix and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate Jalandhar.

Ordered accordingly.

Petition stands disposed of.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

27.08.2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**