IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-29325 of 2015
Date of Decision: September 08, 2015

Mahinder Singh

....Petitioner

Versus

State of Haryana.

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr.Surinder Singh Virk, Advocate
for the petitioner.

Mr.Gaurav Dhir, DAG, Haryana.

Rajan Gupta, J (Oral)

This is a petition under Section 439 Cr.P.C seeking regular bail in a case FIR No.254 dated 4.6.2015 under Sections 15, 20, 25, 27-A, 29, 61 & 85 of NDPS Act registered at Police Station, Gharonda, District Karnal.

Allegation against the petitioner is that he had paid Rs.50,000/- in advance to co-accused for purchase of 2 bags of poppy husk out of 22 bags being carried out by them in a truck. On the basis of disclosure statement made by driver of the truck, petitioner was arrested on 6.6.2015. Learned counsel for the petitioner submits that petitioner was not apprehended with any contraband. He has been implicated on the basis of statement made by co-accused.

Prayer has been opposed by learned State counsel on the ground that accused were in active connivance with each other.

Keeping in view the fact that petitioner was not apprehended with any contraband, allegation being that he had paid Rs.50,000/- in advance for purchase of 2 bags of poppy husk weighing about 50 Kgs, no useful purpose will be served by detaining the petitioner in custody during the pendency of trial. Thus, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is directed to be released on bail to the satisfication of Chief Judicial Magistrate/ Duty Magistrate, Karnal.

(Rajan Gupta)
Judge

September 08, 2015
BB