

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

CRM-M-29758 of 2014
Date of Decision:14.07.2015

Naresh KumarPetitioner
Versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. M.S. Sodhi, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

SNEH PRASHAR, J.

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case First Information Report No.145 dated 16.09.2012 under Sections 15, 18, 25, 29, 61 and 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Division No.6, Ludhiana, District Ludhiana.

2. Heard the submissions made by Mr. M.S. Sodhi, Advocate representing the petitioner and Mr. Ashish Sanghi, DAG, Punjab representing the State.

3. Learned counsel for the petitioner submitted that the recovery of contraband effected from the petitioner is 2kg 600 grams of poppy husk, which is marginally commercial. In addition to it five bags containing 25 kg poppy husk were also recovered from the car, but he was not the driver of the car and was only travelling in the same.

Submitting that the petitioner is in custody since 16.09.2012 learned

counsel prayed that he be enlarged on regular bail.

4. On the other hand learned State counsel opposed the prayer of the petitioner for grant of regular bail.

5. Taking into consideration the fact that as the petitioner is in custody since 16.09.2012 and the trial is still likely to take time, there is no plausible ground to detain the petitioner in custody, therefore, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is released on bail subject to his furnishing bail/surety bonds, to the satisfaction of trial Court/Duty Magistrate, Ludhiana.

July 14, 2015
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(SNEH PRASHAR)
JUDGE