

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 33954 of 2015 (O&M)
Date of decision : November 02, 2015

Bhagwan Singh @ Bhana

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Vivek K Thakur, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. A.G Punjab

- 1. Whether Reporters of Local Newspapers 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)

The petitioner seeks grant of regular bail in case FIR No.80, dated 26.08.2014, registered under Sections 15/25/29 of the NDPS Act, at Police Station Bholath, District Kapurthala.

As per allegations in the FIR, three persons were arrested and a recovery of 900 kgs of poppy husk was made on 26.8.2014.

Counsel for the petitioner has argued that the only material against the petitioner, even in the challan, is the statement of a co-accused and there is no other evidence, and that the petitioner has been in custody since 12.4.2015.

Learned Addl. AG Punjab, on instructions from ASI Harvail Singh, has accepted that as per the challan, the only material which has appeared against the petitioner is the statement of the co-accused. As regards the custody, she states that on 12.4.2015, the petitioner was arrested in FIR No.15, dated 12.4.2015 and was bailed out on 2.7.2015 and, therefore, custody in the present case can only be deemed to have started w.e.f 3.7.2015.

Be that as it may, without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner. Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands disposed of.

(AJAY TEWARI)
JUDGE

November 02, 2015
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