

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr.Misc. M 37497 of 2014
Date of decision:- 28.1.2015

Manjit Singh

Petitioner

vs.

State of Hry

Respondent

Present: Mr. Pawan Kumar. Sr. Advocate with
Mr.JS Thind, Advocate.
Mr. Arun Kumar, AAG, Haryana

M.M.S.BEDI,J.

The petitioner seeks the concession of regular bail in a case of recovery of 54 kgs of poppy husk from co-accused of the petitioner Gurpreet Singh and Jaswinder Singh, who were arrested on 12.9.2014. So far as the petitioner is concerned, he has been involved in the case on the basis of disclosure statement of Jaswinder singh to the effect that he had purchased the poppy husk, recovered from him, from the petitioner @ Rs. 1620 per kgs.. The petitioner is also alleged to have made a disclosure statement in police custody regarding poppy husk having been sold to his co-accused. Since the recovery was not actually effected from the possession of the petitioner, his culpability u/s 27-A of the Indian Evidence Act will have to be determined on the basis of the statement of the disclosure of his co-accused and his statement made in police custody. Challan has already been presented. Since the petitioner has been in custody since 12.9.2014, he can be granted the concession of bail.

The petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the trial court subject to the condition that he will not commit the similar offence, of which he is accused of, during pendency of the trial.

January 28 , 2015

(M.M.S.BEDI)
JUDGE

