

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

CRM-M No.40520 of 2014
DATE OF DECISION:12.02.2015

Rajiv @ Rinku

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr. K.P.S.Virk, Advocate
for the petitioner.

Mr. Arun Kumar, AAG, Haryana.

M.M.S.BEDI, J.(ORAL)

Petitioner seeks concession of regular bail in a case of recovery of 236 Kgs of poppy husk from boot of a car, concealed in wheat flour bags.

So far as the petitioner is concerned, he was not arrested from the spot. Perusal of the police file indicates that the petitioner was arrested on 12.08.2014. He made a disclosure statement on 13.08.2014 to the effect that on 29.07.2014, he had kept concealed 12 bags of poppy husk in Scoda car for sale. The recovery in this case had been effected earlier on 30.07.2014. Whether the statement dated 13.08.2014 could be considered as a piece of relevant and admissible evidence to connect the petitioner with the crime would certainly be a debatable issue. The petitioner has been in custody w.e.f 12.08.2014 and he having not been arrested alongwith the poppy husk, he can be granted concession of bail at this stage.

The petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

12.02.2015
rimpal

(M.M.S.BEDI)
JUDGE