

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

Cr. Misc. M 42087 of 2014
Date of decision:-22.1.2015

Agam Sharma

Petitioner

vs.

State of Punjab

Respondent

Present: Mr. GS Toor, Advocate.
Mr. JS Brar, AAG, Punjab.

M.M.S.BEDI,J.

The petitioner seeks the concession of regular bail in a case of recovery of psychotropic medicines and 125 kgs. of poppy husk from his co-accused Sanjeev. So far as the petitioner is concerned, he was not arrested along with his co-accused but on the basis of confessional statement that the petitioner used to accompany the said accused and financed the purchase of medicine, he was arrested in the case. Since no actual recovery was effected from the petitioner, it will be debatable whether he is liable to be convicted u/s 15/22 NDPS Act. It would be required to be ascertained, on appreciation of evidence, during trial, regarding the culpability of the petitioner for having abetted and facilitated the crime. The petitioner has been in custody since 2.12.2013.

Taking into consideration the fact that only one witness out of 12 witnesses having been examined, 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.

January 22, 2015
TSM

(M.M.S.BEDI)
JUDGE