

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

CRM No. M-42378 of 2014
Date of Decision: 22.01.2015

Bagga

..... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE K.C. PURI.

Present: Mr. Atul Lakhanpal, Sr. Advocate with
 Mr. Jasmeet Singh, Advocate
 for the petitioner.

Mr. Rajesh K. Sheoran, Addl. A.G., Haryana.

K.C. PURI, J. (ORAL)

The petitioner-Bagga has applied for grant of regular bail under Section 439 Cr.P.C in case FIR No. 168, dated 18.06.2014, under Sections 420, 411 and 120-B of IPC and Sections 15, 27-A, 21, 61 and 85 of NDPS Act, registered at Police Station Sadar, Tohana, District Fatehabad.

As per allegation of the prosecution, 182 kgs. of poppy husk contained in five plastic bags was recovered from Honda City Car bearing registration No. DL-4C AB/7867 while lying abandoned at Khanora Road, near Peer Baba, Jamalpur Shekhan. It is alleged that co-accused-Darbara made confessional statement in which it is mentioned that he alongwith present accused and Gurpreet @ Ladi and Gopal @ Pali have brought the poppy husk from Rajasthan.

Learned counsel for the petitioner submits that the petitioner is neither the owner of the car in question nor the recovery has been

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effected from him. He has further contended that confessional statement of co-accused without any recovery of article cannot be read against the co-accused. The petitioner is stated to be in custody since 03.07.2014. He has further submitted that no other case is pending against the petitioner.

The said factual position has not been disputed by the learned State counsel.

The trial is not likely to be concluded at an early date.

So, without commenting on the merits of the case, the present petition stands accepted and the petitioner is ordered to be released on bail on his furnishing bail bonds to the satisfaction of trial Court/Duty Magistrate.

Disposed of.

January 22, 2015
dk kamra

**(K.C. PURI)
JUDGE**