

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM M-7453 of 2015

Date of Decision: 30.03.2015

Mohinder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present:- Mr.P.S.Sekhon, Advocate for the petitioner.

Mr.Gazi Mohammad, DAG Punjab.

R.P. NAGRATH, J. (ORAL)

Petitioner seeks regular bail under Section 439 Cr.P.C. in FIR No.14 dated 21.01.2014 for offence under Sections 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act) registered at Police Station, City Dhuri, District Sangrur.

The petitioner was found in possession of 50½ Kgs of poppy husk along with bag. The petitioner was not arrested from the spot. If out of total weight of bag ½ Kg., weight of the gunny bag approximately is excluded, the quantity would be almost non-commercial. However, it is for the trial Court to determine disputed question of fact during trial.

The matter is now fixed before the trial Court for prosecution evidence. The petitioner is in custody since 20.05.2014 and it will take time in conclusion of the trial.

In view of the above and without commenting on the merits of the case, the instant petition is allowed and the petitioner be admitted to

bail on furnishing fresh bail bonds to the satisfaction of the trial Court.

Allowed in the above terms.

(R.P.NAGRATH)
JUDGE

30.03.2015
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