

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-8033 of 2015

Date of Decision : 23.04.2015

Ashok Kumar

.....Petitioner

Versus

State of Punjab

....Respondent

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

Present: Mr. Harkeerat Singh, Advocate
for the petitioner.

Mr. Gazi Mohd., DAG, Punjab.

R.P. Nagrath, J. (Oral)

This is the third application filed by the petitioner seeking bail under Section 439 Cr.P.C. in FIR No. 126 dated 06.10.2013 for offence under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Lohian, Teshil Shahkot Lohian, District Jalandhar. Earlier applications for bail filed by the petitioner were dismissed as withdrawn.

The recovery made is 60 kgs. of poppy-husk which is marginally above the commercial quantity. It is particularly contended that the petitioner was not arrested at the spot and arrested after two months.

Learned State counsel on instructions from ASI Nirmal Singh also submits that only three witnesses out of nine have been examined so far. The petitioner is in custody since 04.12.2013 and it will take long time in conclusion of the trial.

In view of the above cumulative circumstances and without commenting on the merits of the case, the instant petition is allowed and the petitioner be admitted to bail on furnishing bail bonds to the satisfaction of the trial Court.

Allowed in the above terms.

April 23, 2015
jk

(R.P. NAGRATH)
JUDGE