

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

**CRM No. M-11231 of 2016
Date of decision: 16.05.2016**

Gurcharan Singh @ Kunda

...Petitioner

V/s.

State of Punjab

...Respondent

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

Present: Mr. K.S. Dadwal, Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

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

Petitioner is alleged to have left 380 kgs of poppy husk in a car and motorcycle contained in 8 bags and 2 bags respectively. He was arrested on January 19, 2016 after having been produced while in custody in another case. The petitioner has been involved in the case on the basis of his confessional statement allegedly made in another case.

In view of the fact that the petitioner was not arrested alongwith the bags, it will certainly be a debatable issue if he could be said to have been found in actual physical possession of the poppy husk.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the trial Court.

**(M.M.S. BEDI)
JUDGE**

May 16, 2016
Divyanshi