

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

**CRM-M No. 14820 of 2016 (O&M)
Date of Decision: 23.05.2016**

Lakhwinder Singh alias Laddu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. P.P.S. Duggall, Advocate
for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Amar Singh.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 439 of Cr.P.C., is for grant of regular bail on behalf of the petitioner-accused-Lakhwinder Singh alias Laddu in case FIR No. 13, dated 16.03.2015, for offences punishable under Sections 15/61/85 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Amir Khas, District Ferozepur.

Petitioner-accused (Lakhwinder Singh alias Laddu) alongwith co-accused-Rekha Rani were apprehended while driving a motor-cycle and found in possession of two bags of poppy husk measuring total 55 kgs.

It is contended that if the weight of the said two *jute* bags is excluded, then the weight of the contraband becomes marginally commercial. It is next contended that the petitioner is in custody since 16.03.2015; after completion of the investigation, challan stands presented and examination-in-chief of only one witness out of six prosecution

witnesses has been recorded. It is further submitted that the petitioner is not involved in any other case.

Learned State Counsel, assisted by ASI Amr Singh, does not refute the aforesaid factual contentions and further states that the petitioner is not involved in any other case.

Without commenting on the merits of the case, keeping in view the facts noticed above; custody period of the petitioner and the fact that the seized contraband is marginally commercial, no useful purpose would be served by keeping the petitioner-accused in custody since the trial is not likely to be concluded in near future, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

May 23, 2016
'dk kamra'

(JASWANT SINGH)
JUDGE