

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

(220)

CRM-M-16033-2015

Decided on: March 04, 2016.

Satish

.... Petitioner

Versus

State of Haryana

..... Respondent

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

Present: Mr. A.S. Sullar, Advocate, for the petitioner.

Mr. Gurdas Singh Salwara, DAG, Haryana.

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

Petitioner seeks concession of regular bail in a case registered on the basis of secret information that the petitioner along with his co-accused Rajesh Kumar, Manoj Kumar were responsible for carrying huge quantity of ganja leaves in a truck of the petitioner. Rajesh Kumar was apprehended along with Manoj Kumar and Kallu in a raid conducted where 222 kgs of ganja leaves from the truck and a car. The car was allegedly driven by Manoj Bihari. Rajesh Kumar, Kallu and Manoj Bihari having been apprehended from the spot allegedly made disclosure statement that money was paid by the petitioner for the contraband.

I have heard learned counsel for the petitioner.

The petitioner is owner of the truck.

Learned counsel for the petitioner has submitted that truck had been sent with a consignment of goods from New Delhi to Katak and his driver was arrested from Gurgaon. So far as the petitioner is concerned,

admittedly, he was not present on the spot. Allegation against him is that he had permitted his truck for carrying of the ganja leaves as aforesaid. The allegations have been leveled that he also financed the transaction.

Without expression of any opinion on merits, it is sufficient to observe that the petitioner was not arrested from the spot. He has been in custody w.e.f. 21.06.2014. He has got a plausible defence on the basis of cargo receipts that he did not have any intention or knowledge for the possession of ganja recovered from the driver from his truck.

In said circumstances, the petitioner can be granted concession of bail.

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

March 04, 2016
harsha