

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-2849 of 2016 (O&M)

Date of Decision: 04.02.2016

Balwinder Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sandeep Sharma, Advocate for the petitioner.

Mr. K.D. Sachdeva, Addl. A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.48 dated 21.5.2012 under sections 15, 61, 85 of N.D.P.S Act, registered at Police Station, Lohian, District Jalandhar.

Learned counsel for the parties have been heard.

As per prosecution version, based on a secret information in which the present petitioner as also his brother had been named to be engaged in the business of selling poppy husk, a raid was conducted and an alleged recovery of 240 kgs. of poppy husk was effected from a Haveli.

It is not in dispute that the petitioner was neither present at the spot and as such, was not apprehended therefrom. The premises/Haveli from where the alleged recovery has been effected is not in the ownership of the present petitioner.

Co-accused/brother of the petitioner is stated to have since died.

Petitioner is in custody since 14.8.2014. Trial would take time to conclude inasmuch as out of 17 prosecution witnesses cited only 5 have

been examined till date.

The petitioner is not stated to be involved in any other case under the N.D.P.S Act.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Jalandhar.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

04.02.2016
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