

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-2895 of 2016 (O&M)
Date of Decision: 04.02.2016

Jasbir @ Jassu

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. S.K. Bishnoi, Advocate for the petitioner.

Mr. Deepak K. Grewal, D.A.G., Haryana.

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.334 dated 17.7.2015 under sections 15, 27-A of N.D.P.S. Act, registered at Police Station, City Tohana, District Fatehabad.

Learned counsel for the parties have been heard.

As per prosecution version, a police party was on patrolling duty on 17.7.2015 and a white colored Verna upon seeing the police party, tried to make an exit. As per prosecution version the car was directed in a different direction and thereafter two persons alighted from the car and managed to escape. From the car in question an alleged recovery of 75 kgs poppy husk is stated to have been effected.

In so far as the present petitioner is concerned, he was stated to have been picked-up on 18.7.2015 on the basis of a secret information and is sought to be implicated in the present case on the basis of a confession statement that he is stated to have suffered that he along with one Balwinder @ Virender had brought the contraband from Rajasthan.

Petitioner has been in custody since 18.7.2015. Even the vehicle in question i.e. Verna car is not stated to be in the ownership of the present petitioner. Rather State counsel would submit that the car belongs to Kulwinder, who till date has not joined the investigation.

Neither was the petitioner apprehended on the spot and as such, no recovery has been effected from his person.

It has also gone uncontroverted that the petitioner is not involved in any other proceedings 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, Fatehabad.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

04.02.2016
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