

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

**Criminal Misc.No.M-29749 of 2016 (O&M)
Date of Decision : 20th September, 2016**

Avtar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. K.K.Kahlon, Advocate
for the petitioner.

Mr. K.S.Pannu, DAG, Punjab
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

Petitioner has preferred the instant petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.41 dated 13.06.2016, registered at Police Station Kathgarh, District Shahid Bhagat Singh Nagar, under Section 15 of the Narcotic Drugs & Psychotropic Substances Act, 1985.

The petitioner is in custody for the last 03 months and 05 days and there is recovery of 10 kg. poppy husk.

Pursuant of the order dated 07.09.2016, passed by this Court, report by way of affidavit of Surinder Pal Khanna, PPS, Superintendent, Central Jail, Ludhiana, in respect of case FIR No.82 of 2015, under the Narcotic Drugs & Psychotropic Substances Act on behalf of respondent(s)-State has been filed. Same is taken on record. The said report transpires that the petitioner was convicted in that case for the recovery of 12 kg

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poppy husk and he had completed his sentence on 25.05.2016. After that he was arrested in the present case.

Learned Addl. Advocate General, Punjab has accepted these factual assertions.

Keeping in view the facts and circumstances of the case and the recovery effected from the petitioner and also the fact that the petitioner is in custody for the last 03 months and 05 days and without commenting on the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

Ordered accordingly. Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

20th September, 2016

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No