

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CRM-M-30248-2015 (O&M).
Decided on: January 20, 2016.**

Lucky

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

*** * ***

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

*** * ***

**PRESENT Mr.K.S.Dadwal, Advocate,
for the petitioner.**

Mr.K.S.Pannu, DAG, Punjab.

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

Petitioner along with Gurcharan Singh was allegedly waiting in a car and motorcycle for supplying poppy husk to the prospective buyers but on seeing the police party, the petitioner along with co-accused had fled away leaving behind car and motorcycle. The petitioner is stated to be not the owner of the car or the motorcycle. The FIR has been registered on the basis of secret information.

The petitioner pursuant to the interim order has already joined investigation.

On asking of the Court, on the instructions of HC Gurpreet Singh, it has been informed that Gurcharan Singh and petitioner are also involved in few other cases.

In view of petitioner having not been arrested along with poppy husk, it will be a debatable issue whether, the petitioner can be said to be in exclusive and conscious possession of poppy husk alleged to have been recovered. His identity will also be a debatable issue. The ownership of the vehicles is still a controversial issue to be determined subsequently.

The petition is allowed. It is ordered that in case of arrest of the petitioner he shall be released on bail to the satisfaction of the arresting officer subject to the conditions that he will join investigation as and when required and will not commit the similar offence of which he is accused of during the entire period of trial.

**(M.M.S. BEDI)
JUDGE**

January 20, 2016.