

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

**Criminal Misc. No. M-36314 of 2016
Date of Decision:-21.10.2016**

Vikram Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Ajay Arora, Advocate
for the petitioner.

Mr. Manish Bansal, Deputy A.G., Haryana.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.123 dated 23.2.2016, under Section 15/16/29/61/85 of the NDPS Act, registered at Police Station Sirsa City.

Learned counsel for the petitioner contends that co-accused namely Deepak Kumar @ Deepu and Gurmeet singh have been admitted on bail by this Court in CRM-M-26233 of 2016 titled 'Deepak Kumar alias Deepu vs. State of Haryana' vide order dated 08.8.2016 and CRM-M-30715 of 2016 titled 'Gurmeet Singh vs. State of Haryana' vide order dated 24.9.2016. He further states that the petitioner is in custody since 23.2.2016. The offence against the petitioner and the other co-accused is that recovery of 51 kilograms of poppy husk was effected from them.

Learned State counsel though does not dispute the custody of

the petitioner but states that the petitioner was instrumental for arranging the poppy husk from Madhya Pradesh from co-accused Arjun. He, however, also does not dispute the fact that the co-accused namely Arjun has also been admitted on bail by co-ordinate Bench of this Court in CRM-M-21398 of 2016 titled 'Arjun Singh vs. State of Haryana' decided on 22.6.2016.

I have heard learned counsel for the parties.

Without commenting on the merits of the case and keeping in view the fact that the alleged recovery is 51 kilograms of poppy husk, which is marginally higher than the commercial quantity, coupled with the fact that the petitioner is in custody since 23.2.2016 as well as the fact that the trial in the case will take sufficient long time to conclude as against the total 21 witnesses cited by the prosecution only three witnesses have been examined so far.

Accordingly, the petition is **accepted**. The petitioner is admitted on regular bail on furnishing of his bail bonds and surety bonds subject to satisfaction of the learned trial Court.

It is made clear that the observations made hereinabove shall not be construed as reflection of any opinion on the merits of the case and the trial Court shall decide the case on the basis of available evidence.

October 21, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No