

Kuldeep Singh

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Mansur Ali, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

....

TEJINDER SINGH DHINDSA. J.

Petitioner seeks the benefit of regular bail pending trial in case FIR No.181 dated 26.03.2015, under Sections 15/ 25/ 61/ 85 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Ratia.

Counsel for the parties have been heard at length.

As per the prosecution version, a raid was conducted based on secret information at the residence of the petitioner on 26.03.2015 and an alleged recovery of 140 Kgs of poppy husk was made.

Version of the prosecution is that the petitioner had managed to escape from the spot. It is curious that the police raiding party comprising of seven officials and who had proceeded to the premises of the petitioner based on secret information had managed the petitioner to flee from the spot. In the present case, the petitioner has been arrested after a period of about four months from the date of recovery i.e. on 06.08.2015.

Recovery is alleged to be from the house of the petitioner and

nor from his person. Neither was he apprehended from the spot.

CRM-M-40129 of 2015 :2:

Petitioner is not stated to be involved in any other proceedings under the NDPS Act.

Under such peculiar circumstances, false implication of the petitioner cannot be ruled out.

Without making any observation on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of CJM/Duty Magistrate, Fathebad.

Disposed of.

12.01.2016
rimpal

(TEJINDER SINGH DHINDSA)
JUDGE