

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.4166 of 2016

Date of Decision:-12.02.2016

Jagsir Singh @ Jaggi.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Jagjit Gill, Advocate for the Petitioner.

Mr. Satish Saini, Deputy Advocate General, Haryana
assisted by ASI Khurshid Alam.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Jagsir Singh @ Jaggi in case FIR No.125 dated 18.05.2015 for offences punishable under Sections 15, 16, 61 & 85 of Narcotics Drugs and Psychotropic Substances Act registered with Police Station Kallanwali, District Sirsa.

There is alleged recovery of 09 Kg of Poppy Husk from the house of the petitioner while he is alleged to have fled away. Petitioner was arrested on 27.11.2015.

It is submitted that the petitioner was convicted for possession of 120Kg of Poppy Husk for 10 years imprisonment in 2006 and during the

pendency of his bail he has been released on bail while suspending his sentence. In another case under Excise Act, he has already been sentenced to imprisonment for the period already undergone.

Learned Counsel for the petitioner contends that the alleged recovery is of non commercial in nature and petitioner is in custody since 27.11.2015 and the challan has since been filed.

Learned State Counsel on instructions from ASI Khurshid Alam concedes the fact of custody period and conviction of the petitioner as stated aforesaid.

Without going into the merits of the case, keeping in view the custody period and the fact that the trial is not likely to be concluded in near future, present petition is allowed and the petitioner Jagsir Singh @ Jaggi is ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, Sirsa.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

February 12, 2016
Vinay