

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

(221)

CRM-M-41536-2015

Decided on: January 22, 2016.

Raj Kumar @ Raju

.... Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr. P.S. Sekhon, Advocate, for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

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

The petitioner has been in custody w.e.f. 19.08.2015. He is facing trial on the allegations that 72 kgs 500 grams of poppy husk was being carried by him and his co-accused Lakhwinder Singh. Petitioner alongwith his co-accused Lakhwinder Singh were not arrested from the spot. The FIR was registered on 31.07.2008.

The identity of the petitioner and connection with the recovery effected in the year 2008 will certainly be a debatable issue.

On asking of the Court, learned counsel for the petitioner informs that the petitioner had been residing in Bhatinda as such he had neither received any notice nor any proclamation was ever to the knowledge of the petitioner.

Taking into consideration the totality of the above said circumstances; no witness having been examined till date, the petitioner can be granted concession of bail.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE

January 22, 2016
harsha