

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

***CRM No.M-41649 of 2015 (O&M)
Date of Decision: 11.01.2016***

Jaswinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Harkeerat Singh, Advocate for the petitioner.
Ms. Manpreet Dhaliwal, AAG, Punjab.
....

TEJINDER SINGH DHINDSA.J.

Petitioner seeks the benefit of regular bail under Section 439 Cr.P.C. in case FIR No.83 dated 28.03.2015, under Sections 15/18/61/85 of the NDPS Act, registered at Police Station Dakha, District Ludhiana.

Counsel for the parties have been heard at length.

As per prosecution version, an alleged recovery of 60 kilograms of poppy husk and 100 grams of opium was effected on the basis of secret information. Such recovery is stated to have been effected from the wife of the present petitioner.

It is not even the case of the prosecution that the petitioner was present on the spot and had managed to escape in view of the raid having been conducted.

It has also gone uncontroverted that the petitioner carries clean antecedents and is not involved in any other proceedings under the NDPS Act.

Petitioner has been in custody since 14.06.2015. Investigation in the case is already complete and the challan has been presented on 16.09.2015.

In view of the above, petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of CJM/Duty Magistrate, Ludhiana.

Disposed of.

11.01.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**