

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4959 of 2016 (O&M)
Date of Decision: 01.3.2016

Jagroop Singh @ Roop Singh

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. K.V.S. Ahluwalia, Advocate for the petitioner.

Mr. Deepak K. Grewal, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.155 dated 7.8.2013 under sections 15, 16, 27-A, 61, 85 of N.D.P.S Act and sections 420, 467, 468, 471 I.P.C registered at Police Station, Kallanwali, District Sirsa.

Learned counsel for the parties have been heard.

As per prosecution version, an alleged recovery of 4400 kgs of poppy husk was made on the basis of a secret information on 7.8.2013. There were four vehicles stated to be involved in transporting the poppy husk i.e. a truck bearing registration no.PB-07-R-0346, two tractor trolleys and one Swift car.

The present petitioner having evaded the process of law, was declared a Proclaimed Offender and was arrested on 26.4.2015 and is in custody ever since.

Petitioner was neither apprehended on the spot nor has any recovery been effected from his person. It would be pertinent to note that co-accused Makhan Singh was implicated on the basis of a disclosure

statement of Lavar Singh @ Bachhi, who was apprehended on the spot. Present petitioner in turn is sought to be implicated on the disclosure statement of Makhan Singh. None of the four vehicles allegedly involved in the recovery are stated to be belonging to the present petitioner.

Co-accused Makhan Singh and on whose disclosure statement the present petitioner is sought to be implicated, has been granted benefit of regular bail by this Court in the light of order dated 28.1.2016 passed in CRM No. M-41522 of 2015.

Petitioner is stated to be not involved in any other case under the N.D.P.S Act.

Learned State counsel has further informed that in the trial out of 26 prosecution witnesses having been cited only 5 have been examined till date. Trial, as such, would take time to conclude.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Sirsa.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

01.3.2016

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