

**In the High Court of Punjab and Haryana at Chandigarh**

**CRM-M No. 8222 of 2016**  
**Date of Decision: 12.4.2016.**

Gurjit Singh @ Wakeel

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. S.S.Sidhu, Advocate  
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

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**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. 09 dated 4.3.2014 under sections 15, 25, 29, 61, 85 of N.D.P.S Act (later on challan has also been presented for offences under sections 201, 120-B I.P.C), registered at Police Station, Bhadaur, District Barnala.

Learned counsel for the parties have been heard.

As per prosecution version, based on secret information, a truck bearing registration no. HR-62-A-2525 was intercepted and from which an alleged recovery of 2880 kgs. of poppy husk was effected. F.I.R was registered against 4/5 unknown persons.

Present petitioner is sought to be implicated on the basis of a statement recorded of Balraj Singh under section 161 Cr.P.C. As per prosecution, Balraj Singh in his statement had

stated that he had overheard conversation between certain persons as regards peddling in poppy husk.

Petitioner was arrested on 16.3.2014.

It has gone uncontroverted that Balraj Singh has been examined before the Trial Court as PW-1 and has not even supported the prosecution version. Rather he has categorically stated that no such statement was ever recorded.

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

Under such circumstances, false implication of the petitioner in the present case, cannot be ruled out.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate, Barnala.

**(TEJINDER SINGH DHINDSA)**  
**JUDGE**

**April 12, 2016**  
**Gurpreet**