

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

**CRM-M No.8731 of 2016 (O&M)
Date of Decision: 03.05.2016**

Amrik Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

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

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Sadha Singh.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Amrik Singh in case FIR No.164 dated 01.12.2014, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act'), registered with Police Station Amargarh, District Sangrur (**Annexure P-1**).

A secret information was received that five accused, namely, Sappy Singh, Pecka Singh, Amrik Singh (petitioner), Laddi Singh and Bittu Singh are involved in the business of bringing *poppy husk* from Rajasthan and selling it. If a raid is conducted at a place near the Cremation Ground of Village Manvi Bulapur, they can be apprehended with the contraband.

It is contended that only two accused, namely, Sappy Singh and Bittu Singh were apprehended at the pointed spot and a recovery of 117 ½ Kgs. of *poppy husk* was effected. It is next contended that the petitioner was neither apprehended at the spot nor any recovery effected from him nor is involved in any other case under the NDPS Act. He further submits that the

petitioner is in custody since 25.01.2015 and the case, after furnishing of supplementary challan, is at the stage of framing of charge. It is next contended that identically situated co-accused Laddi has since been enlarged on bail by this Court, vide order dated 14.01.2016.

Learned State Counsel, assisted by ASI Sadha Singh, does not refute the aforesaid factual situation.

Without commenting on the merits of the case, keeping in view the custody period, parity of treatment and the facts as noticed above, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

May 03, 2016

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**(JASWANT SINGH)
JUDGE**