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

CRM-M-17012 of 2017

Date of decision: August 16, 2017

Lovepreet Singh @ Sonu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Ms. Monita Mehta, Advocate for the petitioner.

Ms. Samina Dhir, DAG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks grant of regular bail in FIR No.156 dated 17.11.2015, under Section 15 of Narcotic Drugs and Psychotropic Substance Act, 1985, registered at Police Station Bhogpur, District Jalandhar.

The co-accused was released on bail by this Court in CRM-M-22335 of 2016, on 02.06.2017. Undoubtedly, the petitioner was caught with the huge quantity of three quintal of poppy-husk that is said to have been imported from Jammu and Kashmir for being sold.

Learned counsel for the petitioner submitted that there is one more case against the petitioner and in which, he was released on bail. She further submits that the petitioner is involved in wholesale business of importing poppy-husk in huge quantity from Jammu and Kashmir.

The petitioner was arrested on 17.11.2015 and is in jail since then. In my opinion, the prosecution is at fault in not conducting the trial

against the petitioner. The petitioner, however, undertakes not to indulge into said business of import of poppy-husk or dealing in poppy-husk and therefore, should be given a chance to be at liberty. In my opinion, the petitioner being in jail since 17.11.2015 and in the absence of any other case of similar nature with more quantity, the petitioner should be released on bail. However, surveillance will have to be kept on the petitioner and his accomplices.

In that view of the matter, this petition is allowed. Petitioner is ordered to be released on regular bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall attend the police station everyday between 11:00 AM to 2:00 PM for a period of 3 months and thereafter, on Monday, Wednesday and Sunday between 11:00 AM to 4:00 PM every week. The police shall keep surveillance on the activities of the petitioner. If the petitioner breaches the condition, he shall be liable to be taken into custody by the trial Court. Petitioner shall file an undertaking before the trial Court that he will not indulge in similar or any other kind of offence in future. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

August 16, 2017
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No