

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

CRM-M-20471 of 2016

Date of Decision: February 06, 2017

Pawandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Kiranjit Singh Brar, Advocate
for the petitioner.

Mr. Gurinderjeet Singh, DAG, Punjab

FATEH DEEP SINGH, J.

The allegations against the petitioner in this 3rd regular bail application under Section 439 Cr.P.C. are that on 20.06.2015 Police accosted a car HR-42C-0014 from which 60 Kg. of poppy husk was recovered.

The contentions of the learned counsel for the petitioner that the petitioner was only driving the vehicle and, thus, cannot be bestowed with conscious possession and is in custody since long time and has prayed for grant of bail.

Learned State counsel has stoutly opposed the grant of bail to the petitioner on the ground of being commercial quantity.

The fact that the petitioner was driving the vehicle from which the contraband was recovered and the element of conscious

possession being subject matter of evidence to be determined at the time of trial and in view of the prima facie allegations and the mere fact that the petitioner is in custody does not entitled him to any relief.

Dismissed.

(FATEH DEEP SINGH)
JUDGE

February 06, 2017

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No