

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

CRM-M No.25545 of 2017
Date of decision: 24th August, 2017

Sugriv @ Bhani

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Deepak Sabharwal, Addl. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Sugriv alias Bhani in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.148 dated 19.08.2016 registered at Police Station Nathusari Chopta, District Sirsa under Sections 15/16/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 are that 25 plastic bags each containing 10 kgs of Doda Post (Poppy) were recovered from a room and the only semblance of evidence against the petitioner is that he was instrumental in purchase of the said contraband and it was only statement of his co-accused Ram Kishan his name has figured in the investigations.

Contentions of the learned counsel for the petitioner are that there is no evidence to connect the petitioner with commission of the offence nor any recovery has been effected on his statement or from his

conscious possession. The same cannot be controverted by learned State counsel who has readily accepted the factual scenario.

Keeping in view the very legality, acceptability and validity of statement of co-accused qua the petitioner which is subject to judicial adjudication; and culpability, if any, shall be determined at the trial which will take a long time to conclude, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sirsa.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

August 24, 2017

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No