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

**CRM-M No.38945 of 2016
Date of Decision: 12.01.2017**

AMANDEEP SINGHPetitioner
Vs
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.188 dated 13.06.2015, registered under Section 279/337 IPC and under Section 15 of the NDPS Act at Police Station Beri, District Jhajjar.

The FIR was registered on the basis of secret information that on 12.06.2015 an accident took place between two cars make i-20 and Alto. On the basis of secret information, the police party reached at the spot. Both the cars were found present at the spot. Police recovered 14 bags containing poppy husk from i-20 Car. On weighment, each bag was found containing 19 kgs. of poppy husk. After taking sample from the bag, police initiated the further proceedings. Petitioner was

apprehended on 26.07.2016 i.e. after more than one year of the occurrence only on the basis of ownership of the vehicle. The registration number of the said car was also alleged to be fake.

The contraband was not recovered from the conscious possession of the petitioner. Apparently accident took place on 12.06.2015 and secret information was received in the Police Station on 13.06.2015. On the basis of aforesaid secret information the FIR came to be registered. The alleged recovery viz-a-viz. date of arrest of the petitioner would give rise to the debatable issues.

At this stage, without adverting to the merits of the case, I am of the view that petitioner, who is in custody since 26.07.2016 can be enlarged on bail.

In view of above, petition is allowed. Petitioner is ordered to be enlarged on bail, subject to furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 12, 2017.

Atik

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No