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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
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CRM-M-41722-2016 (O&M)

Date of decision: 07.09.2017

Paramjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Aminder Singh, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.23 dated 24.02.2016, under Section 15 of NDPS Act, registered at Police Station Sadar, Ahmedgarh, District Sangrur.

The counsel for the petitioner submitted that as per the FIR, on the basis of secret information, that the petitioner and his brother Harnand Singh are traveling in a Ford Figo car carrying some contraband, the case was registered. Later on, seeing the police party, both of them fled away and on reaching the place where car was parked, the police party found four plastic bags and on conducting search, poppy husk was recovered. Counsel for the petitioner submits that the petitioner is a handicapped person on account of polio attack and is not in a position to drive the car and the petitioner is also falsely involved in one more case i.e. FIR No.33 dated 09.03.2016, under Section 15 of NDPS Act, registered at Police Station Chhajli, District Sangrur by same police party. It is further submitted that during the investigation, his brother-Harnand Singh was found innocent in

both the FIRs. It is further submitted that the petitioner is in judicial lock up since one year and six months and till date, no prosecution witness has been examined in the case.

On the other hand, learned State counsel, on instructions from HC Jaspal Singh, has opposed the bail on the ground that the petitioner is involved in two FIRs and recovery is of 120 Kg of poppy husk.

Without commenting on the merits of the case, the present petition is allowed. Petitioner be enlarged on regular bail subject to his furnishing bail / surety bond to the satisfaction of the trial Court/Illaqa Magistrate concerned.

(ARVIND SINGH SANGWAN)
JUDGE

07.09.2017
Hemlata

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