

Sr. No.215

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-7328 of 2017 (O&M)

Date of Decision:06.04.2017

Atalveer

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Kuldeep V. Singh, Advocate,
for the petitioner.

Mr. Deepak K. Grewal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner in case FIR No.49 dated 07.03.2014, under Sections 15/16/27-A/61/85 of NDPS Act, registered at Police Station Kalianwali, District Sirsa.

Counsel for the parties have been heard.

As per prosecution version, an alleged recovery of 400 Kgs. of poppy husk was effected from co-accused Sukhdev Singh and Jagtar Singh @ Tari and from a tractor tanker. It so transpires that Sukhdev Singh during the course of investigation suffered a disclosure statement and on the basis of which one Lakhwinder Singh @ Billi as also Paramjit Singh who was the owner of the tractor tanker were also implicated. The final investigation report under Section 173 Cr.P.C. was filed against Sukhdev Singh, Jagtar Singh @ Tari and Lakhwinder Singh.

It appears that after submission of the final investigation report,

second disclosure statement of Lakhwinder Singh @ Billi in which the name of Jagraj Singh @ Gaaji cropped up. The present petitioner is sought to be implicated on a disclosure suffered by Jagraj Singh @ Gaaji and who has stated that the petitioner deals in the trade of selling of poppy husk.

Petitioner has been in custody since 21.10.2016.

Learned State counsel states that out of 25 prosecution witnesses cited, 15 have been examined till date.

Trial as such would take time to conclude.

Petitioner is stated to be not involved in any other case under the NDPS Act.

Co-accused Jagraj Singh @ Gaaji and on whose disclosure the present petitioner is stated to be implicated has been granted benefit of bail by this Court in the light of order dated 10.01.2017 in CRM No.M-44070 of 2016.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Sirsa.

Disposed of.

06.04.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

Yes