

CRM-M-12971-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12971-2018

Date of Decision: 21th May, 2018

Jagga Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. P.S. Sekhon, Advocate,
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

AUGUSTINE GEORGE MASI, J. (ORAL)

It is an admitted position that the petitioner, in compliance with the order dated 28.03.2018 passed by this Court, has joined investigation, however, it is stated by the counsel for the State, on instructions from ASI Parveen Kumar, P.S. Ratia, that the petitioner was driving the stolen motorcycle which has been recovered from the spot, from where the recovery of 7 Kg. of poppy husk has been made and therefore, Section 411 of the Indian Penal Code has also been added. Petitioner is not disclosing as to how he got the possession of said motorcycle and it has been confirmed from the owner of the motorcycle and established that the motorcycle has been stolen and in this regard, an FIR has also been registered by him. He further states that the petitioner is, therefore, not cooperating.

CRM-M-12971-2018

Having considered the submissions made by the learned counsel for the parties and keeping in view the fact that the petitioner was not arrested from the spot and recovery which is alleged to have been made is not of commercial quantity being 7 Kg. of poppy husk, the present petition is allowed. Order dated 28.03.2018 passed by this Court is hereby confirmed.

The present petition stands disposed of accordingly.

Petitioner shall, however, continue joining investigation as and when required.

21th May, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No