

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

CRM-M-16180-2017 (O&M)

Date of decision: 19.02.2018

Jaskaran Singh @ Jassi

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. SPS Chakkal, Advocate for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case FIR No.1, dated 03.01.2015, under Section 15/25 of the NDPS Act and Sections 465/420/467/468/471 IPC, registered at Police Station Maur, District Bathinda.

Counsel for the parties have been heard at length.

As per prosecution version, an alleged recovery of 51.500 kilograms of poppy husk was effected.

It is the contention raised by counsel that no recovery was effected from the conscious possession of the present petitioner.

Even though, prayer in the instant petition is vehemently opposed by learned State counsel by submitting that the petitioner had evaded the process of law and had been declared a proclaimed offender vide order dated 30.01.2016, yet it has gone uncontroverted that the petitioner has now faced incarceration since 01.01.2017.

Investigation in the case is complete, challan has been

presented and the charges have been framed.

Trial is stated to be at the initial stage.

The alleged recovery in this case would be construed as marginally over and above the non commercial quantity.

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

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

Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

19.02.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |