

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

**CRM NO. M-21774 of 2018
DATE OF DECISION : 31.05.2018**

Gurmej Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Balbir Kaur Saini, Advocate,
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.62 dated 05.07.2014 under Section 15 of the NDPS Act registered at Police Station Mehna, District Moga.

Learned counsel for the petitioner contends that allegations against the petitioner in the FIR are that four bags of poppy husk each containing 25 kgs were recovered from a room of the house which was allegedly taken on rent by the petitioner and co-accused namely Gurnam Singh. He, however, contends that in the inquiry conducted by the Superintendent of Police (Detective), Moga, it was found that as per the rent note, the house had been taken on rent by the father of co-accused Gurnam Singh and the petitioner had no connection therewith. The petitioner was, thus, put in Column No.2. He has been summoned to face trial on an application moved under Section 319 Cr.P.C. He also contends that co-accused Gurnam Singh had been granted anticipatory bail in terms of order dated

11.03.2015 passed by the Special Judge, Moga, after recording that the accused was not arrested at the spot and there is nothing on record to show that the house from which the alleged recover of poppy husk was effected was either in the ownership and possession of Gurnam Singh, or the petitioner herein. He contends that the petitioner is not involved in any other case.

In view of the above, especially when the petitioner was put in Column No.2 after investigation, I deem it a fit case to grant the concession of anticipatory bail. Consequently, the petition is allowed and the petitioner is directed to appear before the trial Court and on his doing so, he shall be released on ad-interim bail subject to furnishing adequate bonds to the satisfaction of trial Court.

(ANUPINDER SINGH GREWAL)
JUDGE

MAY 31, 2018
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| 1. | <i>Whether speaking/reasoned ?</i> | <i>Yes/No</i> |
| 2. | <i>Whether reportable ?</i> | <i>Yes/No</i> |