

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

CRM-M-24923-2018 (O&M)

Date of Decision:-5.7.2018

Baljinder Singh @ Laddi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. A.S. Sandhu, Additional, Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

Petitioner Baljinder Singh @ Laddi has filed this petition seeking grant of regular bail in respect of a case registered against him vide FIR No.51 dated 13.5.2014 under Sections 15/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 (Sections 420, 467, 468, 471 and 482 of Indian Penal Code, 1860 were added later on) at Police Station Division No.7, Jalandhar, District Jalandhar.

As per case of the prosecution, a secret information was received by the police on 13.5.2014 to the effect that the petitioner Baljinder Singh @ Laddi is doing the business of selling poppy husk in the area of District Jalandhar and brings the same from Madhya Pradesh. The information was further to the effect that a consignment of poppy husk has been brought in a canter bearing registration No.HR-37R-5482, which was

being driven by Sona Singh @ Sonu, who is accompanied by conductor Sukha Singh son of Surjit Singh. Pursuant to receipt of the aforesaid information, barricading was raised and the aforesaid canter was apprehended. Sona Singh and Sukha Singh, who were in the canter, were arrested on the spot. A search of the canter in question yielded recovery of 60 bags of poppy husk weighing 20 kg each i.e. 1200 kgs of poppy husk. A challan was presented against Sukha Singh and Sona Singh, while the present petitioner was declared a proclaimed offender. Subsequently, he was arrested on 23.1.2018 and a supplementary challan has been presented against him on 15.3.2018.

I have heard the learned counsel for the petitioner as well as the learned counsel for the State.

The petitioner had not been arrested at the spot. It is only the secret information, in which his name figured.

The learned State counsel upon instructions from ASI Gurnam Singh has informed that during interrogation of Sona Singh and Sukha Singh the involvement of the present petitioner had surfaced. However, apart from the aforesaid statements made by the co-accused during interrogation, nothing has been shown to this Court, so as to connect the present petitioner with the aforesaid recovery of poppy husk.

Having regard to the facts and circumstances of the case and also the fact that the present petitioner has been behind bars since the last about 6 months, no useful purpose will be served by detaining the petitioner behind bars any further. In my opinion, it is a fit case of grant of bail. The petition, as such, merits acceptance and is hereby accepted. Petitioner Baljinder Singh @ Laddi is ordered to be released on bail on his furnishing

bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.

The present petition stands disposed of accordingly.

5.7.2018

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No