

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28945-2018 (O&M)

Date of Decision:-28.08.2018.

Bhupinder Singh @ Bhinda @ Bhindi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. D.S. Sandhu, Advocate for the petitioner.

Mr. Nikhil K. Chopra, Additional A.G. Punjab assisted by
Head Constable Puran Singh.

P.B. BAJANTHRI, J. (Oral)

In the instant petition, petitioner has sought for regular bail in case FIR No.58 dated 25.03.2018, under Sections 15/25/29/61/85 of the NDPS Act, registered at Police Station Shahkot, District Jalandhar.

2.) Learned counsel for the petitioner submitted that petitioner is in custody since 25.03.2018. It was also submitted that petitioner is a Mechanic who has been called upon to attend break down of the truck bearing No.PB-05-N-7865. Petitioner did attend the repair work. At the same time, on a secret information, truck was checked and poppy husk was found from the truck. Learned counsel for the petitioner further pointed out from the disclosure statement of one Sh. Rajpal @ Palli, who was conductor as well as Driver Angrej Singh wherein they have stated that petitioner was

a Mechanic and he had attended the repair work of the truck. Thus, petitioner has been falsely implicated in the present case.

3.) Heard.

4.) Respondent-State in their reply have stated that petitioner is involved in the alleged allegation relating to recovery of poppy husk. At the same time, they have not apprised the statement of Rajpal @ Palli vide Annexure P-5, wherein he has stated that petitioner was called for attending repair work of the truck.

5.) In view of these facts and circumstances, petitioner is entitled to the benefit of regular bail. Therefore, without expressing any opinion on the merits of the case, present petition is allowed. Petitioner-Bhupinder Singh @ Bhinda @ Bhindi is ordered to be released on bail on his furnishing bail/surety bonds to the entire satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned subject to the following conditions:-

(i)Petitioner shall not in any way indulge in any criminal activities and he shall not influence the witnesses or otherwise interfere with the fair trial.

(ii)Petitioner shall also appear before the Station House Officer concerned on last Saturday of every month at 10.00 a.m. and mark his presence.

(P.B. BAJANTHRI)
JUDGE

August 28, 2018.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.