

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-29763 of 2018

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Date of decision:12.9.2018

Logar Lal Dangi

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Satnam Singh Gill, Advocate for the petitioner.

Mr. B.S. Virk, Deputy Advocate General, Haryana
for the respondent-State.

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Inderjit Singh, J.

This second petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.497 dated 28.9.2016 registered for the offences under Sections 15, 29 read with Section 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the Act') and (Section 201 IPC, which was added later on) at Police Station Pehowa, District Kurukshetra.

Notice of motion to Advocate General, Haryana.

Mr. B.S. Virk, learned Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as

learned State counsel and have gone through the record.

A perusal of the record shows that 270 Kgs. of Poppy Husk was recovered in this case on the basis of a secret information from a truck and two co-accused, namely, Bhupinder Singh and Kesar Singh had been apprehended. The present petitioner is not named in the FIR, but he was nominated on the disclosure statement of co-accused Bhupinder Singh, who stated that they had purchased the Poppy Husk from Lokesh. The name of the present petitioner is not Lokesh but Logar Lal Dangi.

The learned State counsel stated that he is the person from whom this quantity had been purchased from Rajasthan. As per the FIR the money was deposited in the account of the present petitioner by one Manna directly. At the time of arguments, learned State counsel admitted that no money has been deposited in the account of the present petitioner.

The petitioner has been in judicial custody since 27.10.2017. The trial of the case is likely to take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case; in view of the fact that nothing has been recovered from the present petitioner and there is only a disclosure statement of the co-accused, I find it a fit case where the petitioner is entitled for the grant of regular bail. Therefore, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond in the sum of ₹50,000/- with

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two sureties in the like amount to the satisfaction of the trial Court/Duty Magistrate.

September 12, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No