

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

**CRM-M-36733-2017
Date of decision:16.07.2018**

Lachhman Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. A.S. Sandhu, Addl. A.G., Punjab
assisted by ASI Tejinder Singh.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of regular bail in respect of FIR No.23 dated 25.04.2016 under Sections 15/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Mehal Kalan, District Barnala.

The case of the prosecution in nut-shell is that on 25.04.2016 upon receipt of secret information Lachhman Singh and Gurjit Singh were

apprehended while unloading poppy husk from truck and as many as fifty bags weighing 38 Kgs. each were recovered. The present petitioner was arrested at the spot.

Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that as per voice recording in compact disc (CD), (Annexure P-6) which contains conversation of one Balwinder, co-accused from which it is revealed and that he is owner of the contraband.

I have heard learned counsel for the petitioner and also the learned State counsel.

Since the present petitioner was arrested at the spot along with contraband, it cannot be said at this stage that accused has not committed any offence or that if released on bail he will not get involved in any other similar case or he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court. Moreover keeping in view the huge recovered quantity of contraband, I do not find any merit in the present petition and same is hereby dismissed.

During the course of arguments, learned State counsel has submitted that as of date only three witnesses out of twenty one prosecution witnesses have been examined so far while the charges were framed in the present case on 07.12.2016. A direction is issued to the learned Trial Court to expedite the matter by fixing short dates. The Senior Superintendent of Police, Barnala is directed to ensure presence of the prosecution witnesses in time so that the conclusion of the trial is not

further delayed.

The petition is dismissed with the aforesaid direction.

Intimation be sent to the quarters concerned.

16.07.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No