

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

**CRM-M-43495-2018 (O&M)
Date of decision:08.10.2018**

Lachman Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Ms. Manjot Kaur, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of regular bail in case registered vide FIR No.9 dated 19.01.2018 under Sections 15 and 25 Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Ghanour, District Patiala.

The case of the prosecution is that upon receipt of a secret information by a police party headed by ASI Balbir Singh to the effect that a silver coloured Skoda car had been parked on the path leading to village Sekhpur Rajputan due to some mechanical defect and that two

persons had left after leaving the vehicle at the spot and that one of the them was named as Ravi and other was named as Bittu. The information was further to the effect that there was some intoxicating substance in the said car. Pursuant to a receipt of aforesaid information, the police checked the vehicle and recovered four bags from the boot of the vehicle out of which one contained black seeds of poppy husk weighing 25 kilograms whereas remaining three bags contained poppy straw weighing 10 kilograms each. Thus the total recovered contraband i.e. poppy straw/poppy seeds was 55 kilograms.

Learned counsel for the petitioner has submitted that he was not arrested at the spot and has falsely been implicated solely on the ground that the vehicle in question was earlier owned by the petitioner and was registered in his name whereas in fact the petitioner had already sold the vehicle to one Ravi who somehow had not got the necessary changes regarding ownership effected in the registration certificate.

On the other hand, learned State counsel has opposed the application while submitting that since the vehicle stands registered in the name of the petitioner, the complicity of the petitioner is apparent. It has further been submitted that the petitioner is involved in two more cases and that in these circumstances, the petitioner does not deserve the concession of bail.

Having considered the rival contentions addressed before this Court and bearing in mind that fact that the petitioner was not arrested at the spot and that it was only other two co-accused who are named in the FIR and also that the petitioner has been behind bars since last about three

months, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars. Accordingly, petitioner-Lachman Singh is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Judge Special Court/Duty Magistrate, Patiala.

This petition stands accepted accordingly.

08.10.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**