

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

CRM-M-43289-2017 (O&M)

Date of decision: 20.02.2018

Nirmal Singh @ Nimma

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Jasvir Singh Dhaliwal, Advocate for the petitioner.

Mr. Atinder Pal Singh Jaurkian, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case FIR No.81, dated 14.08.2012, under Section 15/61/85 of the NDPS Act, registered at Police Station Sardulgarh, District Mansa.

Counsel for the parties have been heard at length.

As per prosecution version, an alleged recovery of 54 kgs of poppy husk was effected. Co-accused, Kulwant Singh is stated to have been apprehended on the spot whereas the present petitioner, who was otherwise identified by HC Bachan Singh is stated to have run away.

Petitioner has faced incarceration since 15.09.2017.

Learned State counsel would inform that co-accused, Kulwant Singh has since been convicted.

Be that as it may, the alleged recovery in the present case would be construed as marginally more than the non commercial quantity. Petitioner is not stated to be involved in any other case under the NDPS Act.

Without making any observations on merit, petitioner is held

entitled to the benefit of bail.

Petitioner be enlarged on bail subject to satisfaction of the trial
Court/Duty Magistrate concerned.

Disposed of.

20.02.2018
harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |