

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

CRM-M-6932-2019

Date of decision:21.02.2019

Harpreet Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Sumeet Puri, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.376 dated 1.11.2018 under Sections 15, 25, 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 473, 120-B Indian Penal Code, Police Station Madhuban, District Karnal.
2. It is case of prosecution that a secret information had been received to the effect that Harpreet Singh, Jatinder Singh and Sandeep were indulging in sale of 'poppy-husk' and were coming in a black coloured Verna car bearing registration No.HR-13-B-8244 and

were moving towards Kaithal through Panipat. Pursuant to receipt of aforesaid information, barricading was held and the aforesaid car in question was apprehended. The occupants of the car disclosed their names as Harpreet Singh, Jatinder Singh and Sandeep. Search of the car led to recovery of two bags containing '*poppy-husk*' from boot of the car. Each of the bag was found to weigh 17 kilograms.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and in any case he cannot be attributed conscious possession of the allegedly recovered contraband. It is further submitted that the petitioner is also entitled for grant of bail on the ground of parity since co-accused namely Sandeep has already been granted bail.
4. Opposing the petition, the learned State counsel has submitted that in view of the fact that a specific secret information by name has been received and also that the petitioner had been apprehended at the spot, no case for grant of anticipatory bail is made out.
5. Having considered rival contentions addressed before this Court and bearing in mind the nature of quantity of the contraband which falls within 'intermediate category' and also that the petitioner is not stated to be involved in any other case, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and it is ordered that the petitioner be released on bail on his furnishing bail

bonds/surety bonds to the satisfaction of learned trial Court/Chief
Judicial Magistrate/Duty Magistrate, concerned.

6. It is, however, clarified that none of the observations made above
shall be taken to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

21.02.2019
Gaurav Sorot

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

Whether reportable? **Yes / No**