

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

CRM-M-18976-2019

Date of decision : 16.11.2019

Harwinder Singh @ Harry

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. APS Gill, DAG, Punjab.

AMOL RATTAN SINGH, J (ORAL)

By this second petition, filed under the provisions of Section 439 Cr.P.C., the petitioner seeks the concession of 'regular bail'.

Though the recovery of the poppy straw stated to have been made from the petitioner and his co-accused is (as per case of the prosecution) is 100 kgs, learned counsel for the petitioner, *inter alia*, submits that the petitioner, even as per the story of the prosecution, was travelling with the owner and driver of the car from which the recovery was made.

He further submits that actually the petitioner was picked up from his home, with admittedly no Gazetted Officer called at the time of the alleged recovery being made.

He further submits that the petitioner has already been in custody for more than two years, with the trial nowhere near conclusion.

As per the custody certificate filed in Court today by learned state counsel, there is no other criminal case shown to be registered against the petitioner.

Keeping in view the above, without making any comment on the actual merits of the case, for or against the petitioner, this petition is allowed. The petitioner would be enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

(AMOL RATTAN SINGH)
JUDGE

16.11.2019
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No