

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29065-2019

Date of Decision: 17.07.2019

Harminster Singh @ Bajwa @ Sarpanch

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ashok Giri, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Harminster Singh @ Bajwa @ Sarpanch has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.201 dated 29.12.2018, registered at Police Station Bhogpur, District Jalandhar, under Sections 15/29 of the NDPS Act, 1985.

Notice of motion has been issued.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

As per the allegation of the prosecution, a truck was found parked at Dhaba and during the raid, 8 quintals-56 Kgs. poppy husk was recovered from accused Munish Kumar and 5 Kgs. poppy husk was recovered from accused Rakesh Kumar and other accused Jasvir Singh was sitting in a car and he fled away from the spot.

Learned counsel for the petitioner states that the petitioner is only named in the FIR by the secret informer, but nothing has been recovered from him nor he was found at the spot.

The petitioner has been in custody since 29.01.2019. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case may take long time. No useful purpose will be served by keeping him in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case as nothing has been recovered from the present petitioner; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

17.07.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No