

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

CRM-M-37226-2019

Date of Decision: 10.09.2019

Jai Bhagwan

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Manish Soni, Advocate, for the petitioner.

Mr. Surender Singh, A.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

Learned counsel for the State does not deny, on instructions from Head Constable Darshan who is present in Court today to assist him, that the proclamation issued under Section 82 of the Cr.P.C. was published on 09.11.2018, with learned counsel for the petitioner pointing out from the custody certificate as has been filed in Court today by learned State counsel, that the petitioner already stood arrested on 05.10.2018, upon another FIR having been registered against him, with him having been admitted to bail on 07.11.2018.

Though obviously that is two days before the date of proclamation, however, looking at the fact that the quantity of poppy husk stated to have been recovered was not from the petitioner but from his co-accused, and was 08 kgs, with the said co-accused having been admitted to bail as is not denied by learned State counsel (on instructions), the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court.

September 10, 2019

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(AMOL RATTAN SINGH)

JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.