

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51459-2019

Date of Decision: 09.12.2019

Manpreet Singh @ Money

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Harkirat Singh Bhogal, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.99 dated 10.10.2019, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sadar, District Nawanshahr. He is in custody since his arrest on 10.10.2019.

As per the case of prosecution, on 10.10.2019, a secret information was received that Ninder Kaur along with her son Manpreet Singh @ Money, were into the business of smuggling drugs, who got the supply of poppy husk from Jammu & Kashmir and sold it in their car bearing No.PB-13-T-5916 in the area of Hoshiarpur and Nawanshahr. They had relation with drug smuggler Gulzar Ahmed Shah @ Gulzar and Sameer Ahmed, who used to supply poppy husk in Punjab in his Truck No. JK-6348 with the help of Ninder Kaur and her son Manpreet Singh @ Money. The aforesaid accused were coming in their vehicles for supplying poppy husk from Garhshanker to villages in Nawanshahr and upon setting check post,

they would be apprehended with large quantity of poppy husk. On these

broad allegations, the present FIR was registered.

Learned counsel for the petitioner contends that the petitioner was not involved in any other case and recovery of 20 kgs of poppy husk has been effected from the petitioner and his mother Ninder Kaur, which falls within the ambit of non-commercial quantity. He submits that the investigation of the case is complete and the trial of the case is likely to consume some time, therefore, further custody of the petitioner may not be justified.

On the other hand, learned State counsel assisted by ASI Satnam Singh, has opposed the prayer, however he does not dispute the fact that the alleged recovery falls within the ambit of non-commercial quantity.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

09.12.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No