

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

CRM-M-21957-2018 (O&M)

Date of decision : 03.05.2019

Balvir Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. K.S. Brar, Advocate for the petitioner.

Mr. Ramdeep Pratap Singh, DAG, Punjab.

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**ANIL KSHETARPAL, J. (ORAL)**

Petitioner prays for grant of concession of regular bail in FIR No.57 dated 13.03.2018 under Sections 15 and 18 of the NDPS Act registered at Police Station Patran, District Patiala.

As per the allegation of the prosecution, in the fields belonging to the petitioner, 8 kg of poppy plants which were found standing. It is the contention of the learned counsel that it would fall within the term 'poppy straw' where it is the case of the State that it falls within the definition of 'opium'. It is debatable as to whether poppy plants which were standing as a crop would fall within the definition of opium or poppy straw. Petitioner is in custody since 13.03.2018.

As per the police officer namely Rajinder Singh, Head Constable, who is present in the Court, petitioner is not involved in any

other case. Investigation is complete. Challan has been presented and now the case has been fixed for 06.05.2019 for remaining prosecution evidence.

Without commenting on the merits of the case and keeping in view the fact that the trial of the case is likely to take a long time, the petitioner is directed to be released on regular bail subject to furnishing personal bonds/heavy surety to the satisfaction of the trial Court/Duty Magistrate, Patiala.

Accordingly, the present petition is allowed.

**03.05.2019**

*Pawan*

**(ANIL KSHETARPAL)  
JUDGE**

**Whether speaking/reasoned:-                      Yes/No**

**Whether reportable:-                                      Yes/No**