

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

**CRM-M No.48312 of 2018
Date of Decision:.25.01.2019**

Anoop Singh Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. R.P.Dhir, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

MAHABIR SINGH SINDHU, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in case FIR No.109 dated 16.08.2018 under Section 15, Section 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Anandpur Sahib, District Rupnagar.

It is contended by learned counsel for the petitioner that no recovery has been effected from the petitioner and as per the allegations in the FIR, he ran away from the spot despite the presence of police party.

The above factual position could not be disputed by learned State counsel, on instructions from SI Kashmir Singh.

As per the allegations in the FIR, recovery of 51 kgs of poppy husk was made from the cremation ground of the village Thaluh and no contraband has been recovered from the petitioner. Report under Section 173 Cr.P.C has already been submitted before the Court of competent jurisdiction and the trial will take long time to be concluded. The petitioner

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is in custody since 10.09.2018 and there is no other criminal case pending against him.

In view of the above, this Court deems it appropriate to release the petitioner on bail pending trial. Consequently, the present petition is allowed and petitioner-Anoop Singh is ordered to be released on bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court.

It is made clear that the above observations may not be construed as an expression of opinion on merits of case.

25.01.2019
mamta

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No