

CRM-M-7661 of 2020

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

CRM-M-7661 of 2020
Date of Decision: 27.02.2020

Krishan Kumar

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Ravi K. Mattoo, Advocate, for the petitioner.
Mr. Bhupender Beniwal, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner – Krishan Kumar – in a case arising from FIR No.78 dated 14.03.2019 registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Model Town, District Hoshiarpur.

According to prosecution, on 14.03.2019, 54 kgs of poppy husk was recovered from the conscious possession of the petitioner, without any permit or licence.

Learned counsel *inter alia* contends that alleged recovery of 54 kgs of poppy husk from the petitioner is “marginally higher than the commercial quantity”. Petitioner is in custody since 14.03.2018. Co-accused of the petitioner, namely, Aslam, Saroop Singh and Jagdeep Singh have been enlarged on bail by this Court vide common order passed in

CRM-M-7661 of 2020

CRM-M-23627 of 2019, CRM-M-30199 of 2019 and CRM-M-30539 of 2019, respectively. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more. Therefore, treating the case of the petitioner on the same parity as that of his co-accused, he may be granted regular bail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Treating the case of the petitioner on the same parity as that of his aforesaid co-accused petitioner (Krishan Kumar) is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

February 27, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

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