

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M -11991 of 2020
Date of decision : 06.5.2020

Jagir Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: Hon'ble Mr. Justice G.S. Sandhwalia

Present:- Mr. Jaswinder Singh Grewal, Advocate for the petitioner

Mr. H.S.Grewal, Addl. Advocate General, Punjab.

G.S. Sandhwalia, J. (Oral)

1. The matter has been taken up by way of Video Conferencing through What's app facility in view of Covid-19 situation as per instructions issued.

2. The petitioner seeks regular bail in FIR No.9 dated 1.2.2020 under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station, Kiratpur Sahib, District Rupnagar in which 51 Kg poppy husk has been recovered.

3. It is contention of the counsel for the petitioner that at the first instance when the petitioner was apprehended on 1.2.2020 only 26 KG of poppy husk had been recovered which was below the commercial quantity. Two days later on 3.2.2020 on the disclosure statement of the petitioner, the balance 25 KG of poppy husk has been recovered from the gypsum loaded in the truck which was driven by the petitioner.

4. It is thus contended that the additional recovery as such has only been foisted for bringing the recovery of poppy husk into commercial limit. The FSL report has yet to be received. Counsel for the petitioner has

also submitted that it is the first case of such a kind which is registered against the petitioner which has not been controverted by the counsel for the State.

5. Keeping in view the above facts and the fact that the considerable time would be taken in presenting the challan before the Trial Court, this Court is of the opinion that the petitioner is entitled for regular bail.

6. Accordingly petitioner be released on bail to the satisfaction of the Illaqua/Duty Magistrate, Rupnagar.

7. Accordingly the present petition stands disposed of.

06.05.2020
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(G.S. Sandhawalía)
Judge