

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12866-2020(O&M)
Date of decision: 15.6.2020

Varinder Singh @ Shakti

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Mohit Garg, Advocate for the petitioner

Mr. S.P.S.Tinna, Addl. AG, Punjab

ANIL KSHETARPAL, J. (ORAL)

Reply filed.

The petitioner Varinder Singh @ Shakti prays for grant of bail pending trial in a criminal case arising from FIR No.59 dated 20.4.2020 registered under Section 15, 25 and 29 of the NDPS Act at Police Station Longowal, Tehsil Longowal, District Sangrur.

As per the case of the prosecution, 2.15 quintals of poppy husk was recovered from the conscious possession of Lakhwinder Singh alias Lakha, a co-accused. The petitioner has been nominated as an accused on the statement of Sukhdeep Singh alias Sabi.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR. The prosecution did not recover any contraband from the petitioner. He further submits that the petitioner is in judicial custody since 24.4.2020.

Learned State counsel submits that the petitioner alongwith

Sukhdeep Singh alias Sabi and other co-accused has formed a gang and is in habit of trading in poppy husk seeds.

The petitioner herein is sought to be implicated as an accuse on the statement of a co-accused, which is not admissible in evidence. Attention of the Court has not been drawn to any other material against the petitioner in the reply filed by the State, apart from the statement of co-accused Sukhdeep Singh @ Sabi. As per the reply, the petitioner also does not have any criminal antecedents.

Without commenting on the merits of the case and keeping in view the aforesaid facts, it is considered appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Petition stands allowed.

15.06.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No