

CRM-M-16513-2020

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

CRM-M-16513-2020
Date of Decision: 10.07.2020

Savinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Manoj Pundir, Advocate,
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Case is being taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case
FIR No.37 dated 29.02.2020, registered at Police Station STF Phase-4,
Mohali, District SAS Nagar, Mohali, under Section 15 NDPS Act, 1985.

Learned counsel for the petitioner submits that recovery
allegedly effected from the petitioner is 52 kgs of poppy husk, including the
weight of bags. He further submits that the petitioner is not the owner of
the truck and has been in custody since 29.02.2020.

On the other hand, the learned State counsel opposes the prayer
made in the present petition and submits that the truck in which the poppy
husk was loaded, belongs to the father of the petitioner. He also submits
that challan is to be presented within a week. However, he does not dispute
that the recovery effected in the present case is marginally above the
commercial quantity.

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I have heard the learned counsel for the parties.

The recovery effected in the present case is marginally above the commercial quantity. The petitioner has been in custody since 29.02.2020. The challan is yet to be presented. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

10.07.2020

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No