

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 211

CRM-M-21773-2020

Date of decision : 12.10.2020

Sandeep Kumar

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.J.S.Grewal, Advocate, for the petitioner.

Mr.Pawan Sharda, Sr.DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.85 dated 14.06.2020, registered under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, the 'NDPS Act') at Police Station Khuhian Sarwar, Tehsil Abohar, District Fazilka.

Seeking regular bail for the petitioner learned counsel submits that the petitioner has been falsely implicated in the present case; he is in custody since 15.06.2020 and that he is not involved in any other case under the NDPS Act.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner as instructed to him by SI Pushpa, has been found in illegal possession of 30 kgs of poppy husk.

The petitioner has been in custody for the last about four months; the alleged recovery made from him is classified as non-commercial quantity and he is not involved in any other case under the NDPS Act.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Fazilka the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

12.10.2020

shamsher

[DEEPAK SIBAL]
JUDGE

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