

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-34947-2020 (O&M)

Date of Decision:- 24.11.2020

Bhag Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Satbir Singh Gill, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.268, dated 31.7.2020, Police Station Sadar Dabwali, District Sirsa, under Section 15 of NDPS Act, wherein allegations are to the effect that 'Poppy Husk' weighing 36 kg and 400 grams was recovered from him.
2. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that he cannot be

attributed conscious possession of the bags containing 'Poppy Husk' which are alleged to have been recovered from a trolley.

3. Opposing the petition, the learned State counsel has submitted that during the course of investigation, evidence has been collected to the effect that the owner of tractor namely Manga Singh had given his tractor to petitioner Bhag Singh and as such, it is the petitioner who was having the domain over the tractor in question is fully liable.
4. I have considered rival submission addressed before this Court.
5. Having regard to the fact that it is a case where the recovered contraband would fall in the quantity of non-commercial quantity and that challan already stands presented and that the petitioner is not stated to be involved in any other case under NDPS Act, further detention of the petitioner will not serve any useful purpose as the trial under normal circumstances is not likely to be immediately concluded. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

November 24, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No