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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38532-2020

Date of Decision: 26.11.2020

ACHHAR SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. K.P.S. Virk, Advocate
for the petitioner.

Mr. Randhir Singh Thind, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.106 dated 26.09.2020, registered under Sections 15(c) & 25 (Sections 61 & 85 added later on) of the NDPS Act, 1985 at P.S. Kahnuwan District Gurdaspur.

As per prosecution case, 90 kgs. of poppy husk has been allegedly recovered from the truck of which petitioner is alleged to be the Driver. Jagtar Singh is stated to be owner of

truck.

Learned State on on instructions from SI Sukhjeet Singh submitted that challan has not been presented. FSL report is still awaited.

In view of law laid down in **Inderjeet Singh @ Laddi vs. State of Punjab, 2014(3) R.C.R. (Criminal) 953**, petitioner is ordered to be released on interim bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

On receipt of FSL report and finding the same to be of incriminating nature, petitioner shall surrender before the concerned Chief Judicial Magistrate/Duty Magistrate forthwith and thereafter he would be at liberty to seek regular bail in accordance with law.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

Petition stands disposed of.

November 26, 2020

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No