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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48748-2019 (O&M)

Date of decision : 28.01.2020

Jagroop Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. O.P.Kamboj, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

...

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.130 dated 20.10.2018 under Section 15 of NDPS Act, 1985, registered at Police Station City Jalalabad, District Fazilka.

As per allegations in FIR, 60 Kg poppy husk was recovered from a car, which was being driven by the petitioner and co-accused – Kulwinder Singh @ Kala was sitting with him.

Learned counsel for the petitioner by relying upon

Shinda vs State of Punjab, 2013(3) RCR (Criminal) 557 and

Lakhwinder Singh @ Bittu vs State of Punjab, 2012(22) RCR

(Criminal) 301 submits that the alleged recovery was slightly

more than the quantity prescribed for commercial category and the petitioner is entitled for regular bail.

Learned State counsel on instructions from ASI Sarvjeet Singh states that challan has been presented and charges have been framed. No prosecution witness has been examined so far.

Petitioner is in custody since 30.08.2019.

In this case, in view of the alleged recovery of 60 Kg poppy husk, which is marginal above than the prescribed of commercial quantity and trial may take some time in its culmination, therefore, at this stage, without meaning anything on merits of the case, I deem it appropriate to enlarge the petitioner on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

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

28.01.2020

Pardeep

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)

Judge

Yes/No

Yes/No