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

**CRM-M No.50955 of 2019
Date of Decision: 24.02.2020**

Satnam Singh @ Satta

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. H.S. Mann, 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.207 dated 27.09.2019 registered under Sections 15, 25 of the NDPS Act (Sections 22, 29 of the NDPS Act added later on) at Police Station Sadar Jagraon, District Ludhiana.

FIR was registered on 27.09.2019 on the statement of ASI Bhagwan Singh on the basis of secret information with the allegations that Chan Singh and Laddu Singh are alleged to be

habitual of selling poppy husk. Both were apprehended along with motorcycle and plastic bag containing 18 kg of poppy husk. On 28.09.2019, Laddu Singh and Chan Singh made a confessional statement under Section 27 of the Evidence Act and they got recovered four bags of poppy husk from one abandoned place in the area of village Leela Megh Singh. Four bags of poppy husk containing 25 kg poppy husk each were recovered by the police. Thereafter, disclosure statements of Laddu Singh and Chan Singh were recorded to the effect that one Bohara Singh used to supply them poppy husk and heroin was used to be supplied by Amardeep Singh along with his brother Satnam Singh @ Satta i.e. the petitioner. Thereafter, on 29.09.2019, the petitioner was arrested and according to his confessional statement, he got recovered intoxicant powder from the field near electric motor in the area of village Abhariwal Kuka (Mand), District Kapurthala. 10 grams of intoxicant powder was got recovered from the petitioner which on analysis was found to be Tramadol.

Learned counsel for the petitioner states that there was no recovery of poppy husk effected from the petitioner. The alleged recovery is of non-commercial quantity. Petitioner is in custody since 29.09.2019.

Learned State counsel on instructions from ASI

Bhagwan Singh admitted the factual position to the effect that poppy husk was not recovered from the petitioner. 10 grams of intoxicant powder was recovered from the petitioner which on analysis was found to be tramadol hydrochloride.

At this stage, without forming any opinion on merits of the case, the petitioner is directed to be released on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

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

24.02.2020

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No