

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

CRM-M-54490 of 2019

DATE OF DECISION :- February 20, 2020

Hardeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Jashandeep Singh Sandhu, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

This petition for regular bail has been filed by petitioner Hardeep Singh, an accused in F.I.R. No. 50 dated 22.03.2019 registered with Police Station Raman, District Bathinda for offence under Section 18 (C) of the N.D.P.S. Act, 1985.

Briefly stated the facts of the case as per prosecution story are that on 22.3.2019 a police party from Police Station Raman, District Bathinda headed by A.S.I. Gurmail Singh received a secret information that Hardeep Singh (present petitioner) had sown poppy seeds in his agricultural land along with wheat crop and poppy crop had husked, therefore, a raid was conducted there. Hardeep Singh was found present in his fields. On seeing the police party he tried to escape but was apprehended. Poppy plants were removed which came out to 27.6 Kg. Those were taken into possession.

Accused was arrested in this case. He had filed an application

for regular bail before Judge, Special Court, Bathinda but the same was dismissed on 29.11.2019, as such he has approached this Court for similar prayer, which is being resisted by the State counsel.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Admittedly quantity of poppy plants is less than commercial quantity. As per custody certificate produced by the State counsel the accused has undergone imprisonment for a period of 9 months and 14 days in this case. He is not shown to be involved in any other criminal case. It is stated that on completion of investigation the challan has been filed and trial is going on. Though out of 14 PWs cited 3 PWs have been examined and 1 PW has been given up. At this pace, the conclusion of trial is likely to take some time. The guilt of the accused shall be determined during the trial.

Considering all the facts and circumstances of the case, this petition is accepted. Petitioner Hardeep Singh is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Bathinda. However, it is made clear that in case the petitioner is found indulging in any criminal act at a later stage, his order granting bail shall be liable to be withdrawn.

(H.S. MADAAN)
JUDGE

February 20, 2020
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No