

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

**CRM-M No.3254 of 2021 (O&M)
Date of Decision.28.01.2021
(Heard through VC)**

Harjinder Singh @ Jinder

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Amit Arora, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.128 dated 28.10.2020 registered under Section 15 of the NDPS Act at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner would contend that the alleged recovery from the petitioner herein is 52 kgs of poppy husk, which is marginally higher than the commercial quantity of 50 kgs. It is further argued that the petitioner has been falsely implicated in the said matter as story of the prosecution is highly unbelievable and improbable that he was carrying 52 kgs of poppy husk on his head. It is also submitted that the matter stands investigated and therefore, custodial interrogation of the petitioner would not be required.

Learned counsel appearing on behalf of the respondent-State on instructions from ASI Sukhwant Singh opposes grant of regular bail to the petitioner by contending that four more cases are pending against the petitioner.

I have heard counsel for the parties and have perused the paper book.

In view of the fact that the investigation is complete and the challan stands presented and the fact that the alleged recovery of poppy husk is marginally higher than the commercial quantity and the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

January 28, 2021
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No