

CRM-M-8781-2021

DECIDED ON: 2nd MARCH, 2021

GURPREET SINGH @ PEETA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Divjyot S. Sandhu, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition for regular bail in case of FIR No. 159, dated 13th August, 2020, under Section 15 of Narcotics Drugs and Psychotropic Substances Act, 1985 (NDPS) registered at Police Station Dharamkot, District Moga.

The brief facts of the case are that on the basis of secret information checking was done at Dholewal Bridge Chowk Dharamkot and 55 kgs of poppy husk was recovered. There were two accused. Gurpreet Singh @ Peeta (petitioner) was apprehended whereas Gurnam Singh @ Gami succeeded in fleeing from the spot.

Learned counsel for the petitioner submits that the petitioner was arrested at the spot and recovery of 55 kgs of poppy husk is marginally above the commercial quantity. Petitioner is in custody since 13th August, 2020 and the challan has been presented. It is submitted that the co-

accused was granted bail by this Court on 11th January, 2021.

Learned State counsel submits that petitioner is involved in another FIR No. 7, dated 19th January, 2020, under Sections 457 and 380 of the Indian Penal Code, 1860 registered at Police Station Dharmkot.

Considering the facts; that no recovery is to be effected; conclusion of trial would take time; recovery is marginally beyond commercial limit and the co-accused has already been granted bail by this Court, present petition is allowed.

The petitioner is ordered to be released on bail subject to his furnishing surety/bail bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

However, it is clarified that anything stated hereinabove shall not be construed as an expression on the merits of the case and is only for the purpose of deciding the bail application.

2nd MARCH, 2021

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*