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

(Through video-conferencing)

**CRM-M No.12291 of 2021
Date of Decision: 26.08.2021**

HARMANDEEP SINGH ALIAS MONEY

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

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

Present: Mr. Vishal Deep Goyal, Advocate
for the petitioner.

Mr. Bhupender Beniwal, Asstt. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.60 dated 17.03.2020 registered under Section 15 of the NDPS Act (Sections 25 & 29 of the NDPS Act added later on) at Police Station Rama Mandi, District Police Commissionerate, Jalandhar.

Learned counsel for the petitioner submits that the petitioner has been implicated on the basis of statement of truck driver Lakhvir Singh @ Lakhi and cleaner Jagroop Singh @ Bittu on the premise that he is owner of the truck. The truck

driver was apprehended by the Police and three bags each containing 20 kgs. poppy husk were allegedly recovered from the truck in which four small tractors and iron pipes were loaded.

Learned counsel for the petitioner further submits that the driver of the truck namely Lakhvir Singh @ Lakhi @ Lakhbir Singh has been granted regular bail vide order dated 19.08.2020 passed in CRM-M No.22769 of 2020.

Learned counsel further submits that the alleged recovery is marginally in excess of the commercial quantity. Challan has been presented and the petitioner is in custody since 17.03.2020. In FIR No.61 dated 17.03.2020, the petitioner has already been granted bail by the High Court vide order dated 22.07.2020 passed in CRM-M No.12284 of 2021.

Factual position of the case is not in dispute, however learned State counsel opposes the bail on the ground that the recovery is commercial in nature.

Keeping in view the recovery so effected from the co-accused Lakhvir Singh @ Lakhi @ Lakhbir Singh, who has been granted regular bail by the High Court and in view of the status of case, I deem it appropriate to enlarge the petitioner on regular bail, without adverting anything on the merits of the

case.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

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

August 26, 2021	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No