

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

CRM-M-17910-2021

DECIDED ON: 9th August, 2021

Sukhdeep Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Ashok Paul Batra, Advocate for petitioner.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

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

This is a petition seeking regular bail in case of FIR No.0170 dated 25.11.2020, under Section 15 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Bahavwala, District Fazilka.

Police received a secret information that Jaswant Singh, Sukhdeep Singh and Rajwinder Singh are in habit of bringing Poppy husk from Rajasthan and sell the same in Punjab. Acting on information, vehicle bearing registration No. RJ-07-GB-0677 was checked and recovery of 80 kgs of Poppy Husk was made.

Learned counsel for the petitioner submits that the petitioner had only taken a lift in the said vehicle. He had no criminal antecedents. He is in custody since 25.11.2020. No recovery is to be made.

Learned State counsel opposes the grant of bail and submits that the recovery is of commercial quantity. She on instructions submits that the investigation is complete and challan stands presented.

The case set up by the petitioner is that he had taken lift in the apprehended vehicle. He is not involved in any other FIR. He is a young boy of 20 years. No recovery is to be made. Investigation is complete. Conclusion of trial is likely to take time. Bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9th August, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>