

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

CRM-M-27597 of 2021

Date of Decision: 05.08.2021

Gursev Singh @ Gogi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Vijay Lath Advocate for the petitioner.

Mr. Harpreet Singh, AAG, Punjab.

HARINDER SINGH SIDHU, J

Prayer is for grant of regular bail in case FIR No.0040 dated 11.05.2021 under Section 15 of NDPS Act registered at P.S GRP Ludhiana, Police District Government Railway Police, District Ludhiana.

As per allegations in the FIR, on 11.05.2021, a police party was present in the area of Police Station GRP Ludhiana. Two young men were seen coming. They were carrying two bags. On the basis of suspicion, they were stopped. Upon being asked, one of them disclosed his name as Jasbir Singh, who was found carrying two bags containing 15 kg and 25 kg of poppy husk while another person disclosed his name Gursev Singh (petitioner), who was also found in possession of two bags containing 12 kg and 26 kg of poppy husk.

Learned counsel for the petitioner contends that the petitioner cannot be held to be in conscious possession of the contraband, recovery of which has been effected from the co-accused Jasbir Singh. Recovery from the petitioner is of non-commercial quantity and that he is in custody since 11.5.2021.

Without commenting anything on the merits of the case and

taking into account the quantity of contraband, which is non-commercial coupled with the fact that the trial may take long time to conclude, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioner Gursev Singh @ Gogi is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This present petition stands accepted accordingly

August 05, 2021
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No