

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

201

CRM-M-36772-2020 (O&M)

Date of decision: 27.05.2021

PRABHJOT SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : Mr. RS Sekhon, Advocate for the petitioner.
Mr. RS Thind, DAG, Punjab.

ANIL KSHETARPAL, J. (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for grant of bail pending trial in a criminal case arising from FIR No.89, dated 19.06.2020, registered under Section 15 of the NDPS Act, 1985, at Police Station Khuian Sarwar, District Fazilka.

As per the case of the prosecution, on being intercepted, the petitioner who was driving the truck ran away while leaving the truck behind. On search of the truck, 225 kg of poppy husk is stated to have been recovered.

The truck belongs to one Mr. Rohin Bajaj. He is stated to have sold the truck to Angrej Singh on basis of an affidavit which is not disputed.

The petitioner is sought to be implicated on the basis of a statement given by

Angrej Singh to the effect that the petitioner was engaged as the driver.

Pursuant to the notice of motion, reply has been filed.

Learned counsel for the petitioner contends that the petitioner is sought to be implicated only on the statement of Angrej Singh and the investigating agency has failed to collect any other material/evidence.

It may be noted here that the investigating agency, on completion of the investigation, has already filed the final report under Section 173 Cr.P.C.

Mr. RS Thind, DAG, Punjab, learned counsel representing the State, admits that apart from the statement of Angrej Singh, the investigating agency has failed to collect any other evidence/material to prove involvement of the petitioner. The petitioner is in custody for more than 10 months. He does not have criminal antecedents.

In view thereof, it is considered appropriate to grant regular bail to the petitioner subject to furnishing of adequate surety to the satisfaction of the Trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

Accordingly, the petition is allowed with the aforesaid directions.

27.05.2021
ashok

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:	Yes / No
Whether reportable:	Yes / No