

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

CRM-M-46503-2021

Date of Decision: 11th November, 2021

Gurmej Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Amit Arora, Advocate
for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab
for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

1. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 116, dated 30.08.2020, under Sections 15, 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 (offence under Section 29 of Narcotic Drugs and Pshchotropic Substances Act, 1985 and 419 IPC 1860 added later on), registered at Police Station City Jagraon, District Ludhiana Rural.

2. Brief facts of the case are that police acting upon a secret information on 30th August, 2020 checked the truck bearing registration No. PB05AB 2808 and recovered 385 kg of poppy husk. The truck was driven by Jasvir Singh @ Sonu. Two helpers namely Harpreet @ Happy and Kirpal Singh @ Pala were also arrested. The petitioner was named in the disclosure statement made by co-accused stating that recovered poppy husk was purchased from the petitioner.

3. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot. No recovery was made from the petitioner,

criminal case. Petitioner is in custody since 15th March, 2021.

4. Learned State counsel on instructions from SI Janak Raj opposes the prayer for grant of regular bail. She submits that there was heavy recovery from the co-accused. Petitioner was named as per the disclosure statement of co-accused. Petitioner was seller of the recovered poppy husk. She fairly submits that challan stands presented on 12th April, 2021.

5. The name of the petitioner surfaced in a disclosure statement, the investigation is complete, petitioner has no criminal antecedents, conclusion of the trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petition is allowed.

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

(AVNEESH JHINGAN)
JUDGE

11th November, 2021

Parveen Sharma

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No