

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-36653-2022

Date of Decision:-25.08.2022

Inderjit Singh @ Babba.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Lakshay Bector, Advocate for the Petitioner.

Mr. Hakam Singh, Assistant Advocate General, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The Prayer in this petition is for the grant of regular bail under Section 439 Cr.PC in case FIR No.60 dated 22.07.2019 under Section 15 of the NDPS Act registered at Police Station City Raikot, District Ludhiana.

As per allegations, 56 kgs. of poppy husk has been allegedly recovered from four accused namely Bobby Singh, Manjit Singh @ Gopi, Inderjit Singh @ Baba (petitioner) and Om Parkash @ Babu @ Raju. Two bags containing the contraband (poppy husk) were recovered. On weighment, 29 kgs. of poppy husk was recovered from one bag and 27 kgs. Of poppy husk was recovered from the second bag.

Learned counsel for the petitioner submitted that co-accused Manjit Singh @ Gopi, Om Parkash @ Babu @ Raja and Bobby Singh have been granted regular bail by this Court vide orders dated 06.02.2020,

25.02.2020 and 04.01.2021 passed in CRM-M No.4592 of 2020, CRM-M No.6895 of 2020 and CRM-M-42967-2020 respectively.

Learned counsel further submitted that after filing of challan and framing of charges, no prosecution witness has been examined till date. The recovered contraband is marginally in excess of the quantity prescribed for non-commercial quantity. He relied upon *Shinda vs. State of Punjab, 2013(3) R.C.R. (Criminal) 557* and *Lakhwinder Singh @ Bittu vs. State of Punjab, 2012(22) R.C.R. (Criminal) 301*.

The factual position could not be disputed by learned State counsel. However, learned State counsel opposed the bail on the ground that recovered contraband is commercial in nature.

At this stage, without meaning anything on the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail on parity with the co-accused Manjit Singh @ Gopi, Om Parkash @ Babu @ Raja and Bobby Singh.

In view of above, petition is allowed. Petitioner-**Inderjit Singh @ Babba** son of Sh. Malkiat Singh 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 any opinion on merits of the case.

(JASJIT SINGH BEDI)
JUDGE

August 25, 2022
Vinay

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