

CRM-M-37000-2022

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

**CRM-M-37000-2022
Date of Decision: 02.08.2023**

Amritpal Singh @ Jassu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Sumeet Singh Brar, Advocate, and
Mr. Charanjit Singh Bahia, Advocate,
for the petitioner.

Mr. G.S.Sandhu, DAG, Punjab,
for the respondent-State.

RAJBIR SEHRAWAT, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure, 1973, for grant of bail pending trial in case FIR No.0086 dated 10.04.2022 registered under Section 15(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Canal Colony Bathinda, District Bathinda.

2. It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner was only a driver of the truck from which the alleged material has been recovered. The said truck was having consignment of salt and in the said consignment, some bags of poppy husk were allegedly placed. The owner of the said truck was also travelling on the said vehicle. Therefore, offence, if any, is committed, it is done by the owner of the truck and not by the petitioner. Otherwise

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also, the petitioner is in custody since 12.04.2022. There is no other case against the petitioner. The petitioner is not required for any investigation purposes. Hence, the petitioner deserves concession of bail pending trial.

3. On the other hand, learned counsel for the State, being instructed by ASI Iqbal Singh, has submitted that since the material was recovered from the said vehicle in which the petitioner was driving, therefore, the petitioner is directly involved in the crime. However, it is not disputed that even the owner of the said truck was found present in the said vehicle and that there is no other case against the petitioner. It is also not disputed that the petitioner is in custody since 12.04.2022.

4. In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

02.08.2023
adhikari

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