

(210)

2023:PHHC:088026

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

CRM-M-45367 of 2022 (O&M)

Date of Decision: July 14, 2023

Jagsir Singh alias Jagi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kirat Pal Dhaliwal, Advocate
for the petitioner.

Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.47 dated 23.05.2022 registered under Sections 15/25/29, 61/85 of NDPS Act, 1985 at Police Station Tappa Mandi, District Barnala.

It is contended that as per the secret information received by the Police, Tarlok Singh, Harmeet Singh, Surjit Singh and the petitioner have taken the factory on rent manufacturing interlock brick and were doing illegal activities therein. Raid was conducted. Forty seven bags containing 20 kg each of poppy husk were recovered. Tarlok Singh and Harmeet Singh were found present at that time. On the disclosure statement of Tarlok Singh, six more plastic bags each containing 20 kg of poppy husk, i.e. 120 kg were recovered from the room constructed in the fields of petitioner- Jagsir Singh.

It is contended by learned counsel for the petitioner that nothing was recovered from possession of the petitioner; that he was not

aware that any poppy husk had been concealed in his fields. It is further contended that petitioner has no criminal antecedents.

Learned counsel for the petitioner has also drawn attention towards CRM-M-26770 of 2023 whereby petitioner has prayed for grant of interim bail for the surgery to be conducted upon his minor son.

In the reply to the afore-said application filed by the State, it is confirmed on the basis of medical report submitted by the SMO Barnala that son of the petitioner requires surgery. Besides, learned State Counsel concedes that no recovery was effected from the possession of the petitioner, although 6 bags of poppy husk were recovered from his fields. Said recovery was effected at instance of co-accused Tarlok.

As per custody certificate placed on record, petitioner is in custody for the last 1 year, 1 month and 9 days with no criminal antecedents.

Having regard to the afore-said facts and circumstances of the case, but without commenting anything on the merits of the case, the petitioner is admitted to regular bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/ Duty Magistrate concerned.

CRM-M-26770 of 2023 also stands disposed of.

Disposed of.

July 14, 2023

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(DEEPAK GUPTA)
JUDGE

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