

S. No.222

2023:PHHC:118481

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

CRM-M-43746 of 2023

Date of Decision:11.09.2023

Jasvir Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Naveen Batra, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

Prayer in this petition filed under Section 439 Cr.P.C., has been made for grant of regular bail to the petitioner in case FIR No.51 dated 09.07.2023 registered under Sections 15, 29, 61, 85 of NDPS Act (Section 27 of NDPS Act added later on) at Police Station Kiratpur Sahib.

As per prosecution allegations, 19 kg. of poppy husk was recovered from the cabin of a truck on which petitioner – Jasvir Singh was the driver and Inderjeet Singh was the passenger. During the interrogation, co-accused Inderjeet Singh suffered disclosure statement which resulted into recovery of 18 kg more poppy husk from another truck.

Contention of learned counsel is that the petitioner has been falsely implicated; that even if the total recovery of 37 kg. of poppy husk is taken into account, that falls in the non-commercial category; that petitioner is not involved in any other case and so, he be granted bail.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab, accepts notice on behalf of the respondent- State.

Learned State Counsel has placed on record the custody certificate revealing that petitioner is in custody for the last 01 month and 29 days. Learned State Counsel concedes the fact that petitioner is not involved in any other case and that the recovered quantity of contraband falls in the non-commercial category.

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

September 11, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No