

S. No.225

2023:PHHC:125797

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

CRM-M-47327 of 2023

Date of Decision:25.09.2023

Anmol Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Aman Deep Saini, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C, petitioner prays for grant of regular bail 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 the truck on which Jasvir Singh was the driver and petitioner – Anmol Singh was the cleaner. One Inderjeet Singh was the passenger. During interrogation, Inderjeet suffered disclosure statement resulting into recovery of 18 kg. More poppy husk from another truck.

Contention of learned counsel is that co-accused Jasvir Singh has already been allowed bail by this Court vide order dated 11.09.2023 in CRM-M-43746 of 2023. Learned counsel further contends that even if total recovery of 37 kg. of poppy husk is taken into account, that falls in the non-commercial category and that the petitioner is not involved in any other case.

Notice of motion.

Mr. R.S. Khaira, DAG, Punjab, accepts notice on behalf of the respondent- State. Custody certificate has been placed on record.

Learned State Counsel does not dispute the afore-said facts.

As per the custody certificate, petitioner is in custody for the last 02 months and 13 days and has no criminal antecedents. The recovered quantity falls in the non-commercial category.

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

September 25, 2023
renu

(DEEPAK GUPTA)
JUDGE

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