

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

CRM No.M-9096 of 2014

Date of decision : 30.05.2014

Jasvir Singh @ Seera

...Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

Present: Mr. J.S. Sandhu, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. A.G., Punjab
for the State.

Mehinder Singh Sullar, J. (Oral)

Petitioner-Jasvir Singh @ Seera son of Jeet Singh, has preferred the instant petition for the grant of concession of regular bail, in a case registered against him, vide FIR No.98 dated 05.09.2012, on accusation of having committed an offence punishable under Section 15 of The Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to be as 'NDPS Act'), by the police of Police Station City Rampura, District Bathinda.

2. Notice of the petition was issued to the State.

3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and after deep consideration over the entire matter, to my mind, the present petition for regular bail deserves to be accepted in this context.

4. Precisely, the prosecution claimed that, on 05.09.2012, 55 kg (30+25) of poppy husk (in two bags) was recovered from the possession of the petitioner. Since only 55 kg of poppy husk including the weight of two bags was recovered, which is marginally higher than the commercial quantity, so to my mind, petitioner is entitled to the concession of regular bail in the obtaining circumstances of the case.

5. Moreover, the petitioner was arrested on 05.09.2012. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. There is no history of his previous involvement in any other criminal case. The conclusion of trial will naturally take a long time.

6. In the light of aforesaid reasons and taking into consideration the totality of facts and circumstances, emanating from the record, as discussed here-in-above, the instant petition for regular bail is hereby accepted. The petitioner is ordered to be released on bail on his filing a specific affidavit to the effect that he will not indulge in any such illegal activities in future and on his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

7. Needless to mention that, nothing observed here-in-above, would reflect on the merits of the main case, in any manner, as the same has been so recorded for a limited purpose of deciding the present petition for regular bail.

30.05.2014

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(Mehinder Singh Sullar)
Judge