

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

(207-A)

CRM-M-19028-2015

Decided on: November 06, 2015.

Som Nath

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Ashish Aggarwal, Advocate, for the petitioner.

Ms. Harpreet Kaur Athwal, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

Petitioner has been charged for offence under Section 29 of the NDPS Act as recovery has been effected from non-applicants Sukhcharan Singh and Sohan Singh of 9 kg of heroin.

Petitioner has been in custody w.e.f. 09.09.2014. The culpability of the petitioner will certainly be a debatable issue as he was not actually found in possession of any heroin.

Without expression of any opinion on merits of the case, petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that he will furnish an affidavit before his release that he will not commit similar offence of which he is accused of during pendency of the trial.

**(M.M.S. BEDI)
JUDGE**

November 06, 2015

harsha