

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19781 of 2015
DECIDED ON : JULY 13, 2015

Harkamaljit Singh @ Harpinder @ Rupa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Deepak Garg, AAG, Punjab
for the respondent-State.

JASPAL SINGH, J. (ORAL)

This petition has been preferred under Section 439 of Code of Criminal Procedure by Harkamaljit Singh @ Harpinder @ Rupa (now confined in Central Jail, Ludhiana) seeking bail, during the pendency of the trial in case bearing FIR No.60 dated 01.06.2012, under Sections 21, 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'Act' only) registered at Police Station Kartarpur, District Jalandhar.

It is an undisputed fact that no recovery of any incriminating article was effected from the possession of petitioner and further that his co-accused namely Gurinder Singh, Sukhwinder Singh @ Sukha, Nishan Singh @ Tony, Ranbir Singh and Sukhwinder Singh @ Laddu have already been granted the concession of regular bail vide various judgments orders passed by the Coordinate Bench of this Court in CRM-M-9826 of 2014 dated 09.04.2014, CRM-M-11719 of 2014 dated 22.04.2014, CRM-M-5741 of 2013 dated

22.04.2013, CRM-M-5750 of 2013 dated 22.04.2013 and CRM-M-8100 of 2015 dated 06.04.2015, respectively.

Learned State counsel has furnished the custody certificate and as per the same petitioner has already undergone actual sentence of three years and eighteen days.

The case of the petitioner is not on different footings than that of the above named persons. Moreover, the disposal of the trial is likely to take sufficient long time. In the given circumstances, incarceration of the petitioner would be absolutely unwarranted.

Accordingly, petition is allowed and petitioner is ordered to be released on bail at the satisfaction of concerned trial Court/Chief Judicial Magistrate.

JULY 13, 2015
m. sharma

(JASPAL SINGH)
JUDGE