IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-20691-2015
Date of decision : 03.07.2015

Makhan Singh

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

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ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No.183 dated 16.11.2014, registered under Section 22 of the NDPS Act, Police Station Mehatpur, District Jalandhar City.

Learned counsel for the petitioner contends that the petitioner was entitled to bail as the police is out to register false cases against the entire family. He urges that initially FIR No.109 was registered in May, 2014 against 36 persons in which the petitioner approached this Court for anticipatory bail and interim protection was granted. He states that the cousin of the petitioner was picked up and detained in illegal custody and a Warrant Officer was appointed and it was found that the cousin was in custody and FIR (Annexure P-4) was registered. It was urged that cases are pending against the

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maternal uncle of the petitioner and he (uncle) had inflicted injury upon the police party, so out of vendetta, cases are being registered against the family. He states that the petitioner was arrested on 16.11.2014 and challan has been presented. He states that when the petitioner was picked up from his home, all the Panchayat Members had given it in writing to the police that he had been picked up and no recovery was effected from him. Counsel for the petitioner further states that the trial will take long and bail may be allowed.

Learned State counsel submits that this is the second FIR in which the petitioner is wanted and the whole family is involved in illegal trade and bail should be allowed.

The petitioner had been arrested in November, 2014. Without commenting on the merits of the case but considering the background, I am inclined to grant bail to the petitioner. But the petitioner will have to stay away from such activities. The petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court.

03.07.2015 **(ANITA CHAUDHRY)**
sunil **JUDGE**

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