

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-2139 of 2015

Date of Decision: 17.03.2015

Shamsher Singh

....Petitioner

v.

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. K.S. Sidhu, Advocate for the petitioner.

Mr. K.S. Pannu, DAG, Punjab.

Navita Singh, J.

This petition has been moved by Shamsher Singh under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.142 dated 23.11.2013 registered under Sections 15 and 18 of NDPS Act at Police Station Dayalpura, Bathinda.

Charge-sheet has not been filed against the petitioner as it is stated that the challan was prepared but there were some objections from the District Attorney about the same.

The petitioner was arrested on 5.11.2014. Recovery, as per the police already stands made at the spot. Co-accused Kulwinder Kaur and Gurbant Singh were released on bail as charge-sheet was not filed within the stipulated period. Annexure P.1 is the copy of FIR which has been lodged by the present petitioner against SI Jasbir Singh and Constable Jaswinder Singh. According to the petitioner, the present case is counter blast to the criminal case lodged by him against the police officials. Since the charge-sheet is yet to be filed and no recovery is to be made from

the petitioner and it would remain a fact that the co-accused are on bail though they were granted bail under Section 167(2) Cr.P.C., the petitioner is also held entitled to the concession. Bail to the satisfaction of the trial Court/ Duty Magistrate.

The petition stands disposed of.

(NAVITA SINGH)
JUDGE

March 17, 2015
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