

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

CRM-M No.24803 of 2015

Date of decision: 31st August, 2015

Roshan Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. A.S. Sullar, Advocate
for the petitioner.

Mr. J.S. Brar, Asstt. Advocate General, Punjab.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the present petitioner Roshan Singh in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.107 dated 14.10.2013 registered at Police Station Sadar, District Kapurthala under Section 15/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985, are that on 14.10.2013, the offending canter truck was apprehended and it is alleged that the petitioner was driver who ran away from the spot.

Contentions of learned counsel for the petitioner Mr. A.S. Sullar, Advocate that there is no evidence to connect the petitioner

with the recovery and that the question of identity has never been established, has been conceded on behalf of the State by Mr. J.S. Brar, Asstt. Advocate General, Punjab contending that the only figment of evidence is statement of the co-accused.

Keeping in view the overwhelming circumstances and identity of the petitioner being a debatable issue that can only be decided at the time of trial, coupled with the fact that trial will take a long time to conclude, this Court without adverting onto the merits is of the opinion that no useful purpose will be served by keeping the petitioner behind bars in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of trial Court.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

August 31, 2015
rps