

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

CRM-M-2767-2015 (O&M)
Date of decision : 09.02.2015

Mirja Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Balbir Singh, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Sukhdev Singh.

JITENDRA CHAUHAN, J.

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.85 dated 04.07.2013, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Sarhali, Distt. Tarn Taran.

It is contended that the petitioner has been falsely implicated in the present case, as is evident from the fact that the alleged recovery has been effected on 04.07.2013, whereas, there are certain documents like recovery memo of truck, farad hawalgi, wherein, the date is mentioned as 05.07.2013. No recovery has been

effected on 05.07.2013. The petitioner is in custody since 05.07.2013. The similarly situated co-accused, Jagtar Singh, has already been admitted to regular bail by this Court.

On the other hand, the learned State counsel, on instructions, submits incorrect dates have wrongly been reflected in some of the documents.

Heard.

The petitioner in in custody since 05.07.2013. Though, the quantity allegedly recovered in the present case falls under the category of 'commercial quantity', but the trial is not likely to be concluded in the near future.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

09.02.2015
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(JITENDRA CHAUHAN)
JUDGE