

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

**Criminal Misc. No. M-28083 of 2014
Date of decision: 08.01.2015.**

Paramjeet Singh @ Bittu and another ..Petitioners

Versus

State of Punjab ..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see judgment?**
- 2. To be referred to reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr. Sunil Garg, Advocate
for the petitioners.

Ms. Ritu Punj, Addl. AG, Punjab
for the respondent - State.

Daya Chaudhary, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. on behalf of the petitioners, namely, Paramjeet Singh @ Bittu and Harpreet Singh @ Shanti, for grant of regular bail in case FIR No.13 dated 21.01.2014, under Sections 22/61/85 of Narcotic Drugs and Psychotropic Substances Act registered at Police Station Kotwali, Bathinda.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the case whereas nothing was recovered from them. The alleged recovery has been planted upon the petitioners and mandatory provisions of the act have not

been complied with. Learned counsel for the petitioners also submits that the petitioners are in custody since 21.01.2014 and no other case under NDPS Act is pending against them as is clear from the custody certificate.

Learned State counsel on instructions from ASI Baldev Singh has not disputed the custody period as well as the fact that no other case is pending against the petitioners. Learned State counsel also submits that the date fixed before the trial Court is 19.01.2015 and no witness has been examined so far.

Keeping in view the submissions made by learned counsel for the petitioners and the fact that even a single witness has not been examined so far; the petitioners are in custody for the last about one year; no other case under NDPS Act is pending against them; and no purpose would be served by keeping them in custody as all witnesses are official witnesses and question of influencing the witnesses does not arise, the present petition is allowed and the petitioners (Paramjeet Singh @ Bittu and Harpreet Singh @ Shanti) are directed to be released on regular bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court.

However, in case, the petitioner is found to be involved in any case under NDPS Act, the State is at liberty to move application for cancellation of bail.

08.01.2015
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(DAYA CHAUDHARY)
JUDGE