

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

CRM No.M-29512 of 2015

Date of decision: 15.09.2015

Gagandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. B.D. Sharma, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.127, dated 02.06.2015, registered under Section 18 of NDPS Act, at Police Station Division No.8, Jalandhar.

It is contended that no recovery was effected from the petitioner. The co-accused of the petitioner, namely Ravi Pandey from whom the recovery of contraband was effected has already been granted the concession of regular bail by this Court, by virtue of order dated 28.08.2015 (Annexure P-3). The petitioner is in custody since 02.06.2015.

On the other hand, the learned State counsel opposes the

prayer of bail and states that the petitioner was arrested from the spot while he along with his co-accused were held up at naka laid down by the police. The investigation is still in progress

I have heard learned counsel for the parties and perused the record.

Keeping in view the fact that no recovery was effected from the petitioner; the other co-accused has already been enlarged on regular by this Court The trial is yet to commence and is not likely to be concluded in the near future, 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, on his furnishing bail bonds and surety bonds, to the satisfaction of the CJM, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

15.09.2015

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(JITENDRA CHAUHAN)
JUDGE