

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-3079 of 2015

Date of decision:27.04.2015

Sukhdev Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

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

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

Navita Singh, J. (Oral)

This petition has been moved by Sukhdev Singh under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.145 dated 27.8.2013 registered under Sections 15/25/61/85 of Narcotic Drugs and Psychotropic Substances Act at Police Station Makhu, District Ferozepur.

Petitioner is in custody since 15.1.2014. The recovery was not made from his possession as he was not present with the co-accused at the relevant time. The vehicle in which the contraband was being allegedly transported belonged to the petitioner.

At the time of registration of the FIR, petitioner was in custody in another case by way of FIR No.29 dated 5.6.2013 under NDPS Act at Police Station City-II, Abohar. For the investigation of the present case, he was produced on production warrant and was taken in custody. He was in custody in the other case, much prior to the date of registration of the present FIR and, therefore, at this stage, it cannot be said that his vehicle was used for the contraband, with his connivance.

In the other case, he is on bail. Petition is allowed. Bail to the satisfaction of the trial Court.

27.04.2015
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(NAVITA SINGH)
JUDGE