

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

CRM-M-32230-2015

Date of Decision: September 28, 2015

Manjit Singh @ Gurmeet @ Meeta ...Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. R.S.Sekhon, Advocate
for the petitioner.

Mr.P.S.Paul, DAG, Punjab.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of regular bail to the petitioner, Manjit Singh @ Gurmeet @ Meeta, son of Harnam Singh, resident of Jhugge Hazara Singh Wale, Police Station Sadar Ferozepur, District Ferozepur, who has been booked for having committed the offence punishable under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'the NDPS Act') in a case arising out of FIR No. 98, dated 20.08.2014, registered at Police Station, Mallan Wala, District Ferozepur.

Learned counsel contends that as per prosecution version, the police had effected the recovery of 200 grams, 100

grams and 200 grams of heroine respectively from Jugraj Singh, Gurpartap Singh and Balwinder Singh @ Babbu; the said persons had been granted bail in terms of Section 36-A of NDPS Act/167(2) Cr.P.C., and that after one month and two days i.e. on 22.09.2014. the petitioner was arrested in the present case but nothing was recovered from him; and that the recovery effected from Jugraj Singh and others would not connect the petitioner with the offence punishable under Section 21 of the NDPS Act.

Learned counsel for the State has opposed the grant of bail to the petitioner on the pretext that he is involved in one more case of similar nature.

I have heard the learned counsel for the parties and with their able assistance gone through the record available on the file.

The conscious possession of the heroine from the petitioner would be a moot point during trial. The petitioner was arrested after one month and two days of the recovery of heroine from his co-accused. After completion of the investigation, the charge-sheet (challan) has been presented and that further incarceration of the petitioner does not appear to be of any consequence in the present case and as such the present petition is accepted. The petitioner, Manjit Singh @ Gurmeet @ Meeta, son of Harnam Singh, resident of Jhugge Hazara Singh Wale,

Police Station Sadar Ferozepur, District Ferozepur, is ordered to be released on bail during the pendency of the trial of the present case, subject to his furnishing the bonds to the satisfaction of the learned Judge, Special Court, Ferozepur/Trial Court.

(NARESH KUMAR SANGHI)
JUDGE

September 28, 2015
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