

CRM-M-3394 of 2015

Date of decision: March 03, 2015

Sukhvinder Singh @ Sukha

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGHPresent: Mr. Preetwinder Singh Dhaliwal, Advocate
for the petitioner.

Mr. R.S. Sidhu, AAG, Punjab.

Jaspal Singh, J.(Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case bearing FIR No. 84 dated November 23, 2014 under Section 15 of Narcotic Drugs and Psychotropic Substances, Act registered at Police Station Sadar Budhlada, District Mansa.

Learned counsel for the petitioner contended that petitioner is cooling his heels behind the bars since December 09, 2014. Even, as per prosecution, petitioner was not arrested at the spot, who is owner of Swift car. In fact, car was borrowed by Balbir Singh from the father of petitioner in his absence, as he was in urgent need thereof, for going somewhere. Balbir Singh did not return for two days. When he visited the house to enquire about Balbir Singh, as well as his car, it revealed that Balbir Singh is in police custody. On inquiry, he came to know that Balbir Singh has been arrested under NDPS Act and further that he has also been implicated in this case.

Taking into consideration the fact that the petitioner is behind the bars since the date of his arrest i.e. December 09, 2014 and that recovery of poppy husk has already been effected from his co-accused, who was intercepted at the spot. Investigation is already complete and challan has been presented in the court, the disposal thereof, will take sufficient long time.

So, in the given circumstances, no useful purpose can be served by detaining the petitioner behind the bars for an indefinite period.

Accordingly, present petition is allowed and petitioner is ordered to be released on bail, on his furnishing bail/surety bond to the satisfaction of learned trial Court/Duty Magistrate, Moga.

March 03, 2015
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(JASPAL SINGH)
JUDGE