

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-36185 of 2015

Date of Decision: 02.11.2015

Jagdeep Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

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. APS Deol, Sr. Advocate with
Mr. H.S. Mavi, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.81 dated 2.9.2014 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Kot Dharmu, District Mansa.

Learned counsel for the petitioner contends that apart from the fact that the petitioner is in custody since 2.9.2014, the recovery was not effected from him, rather the recovery was effected from the co-accused of the petitioner namely Manjit Singh.

As far as alleged recovery of 20 bottles of Rexcof is concerned, he relied upon an order of this Court dated 11.8.2014 passed in the case of **Karamdip Singh Vs. State of Punjab CRM-M-21934 of 2014**, wherein the accused was found in possession of 60 bottles of Rexcof, a coordinate Bench of this Court allowed regular bail to the accused.

Learned State counsel, on instructions from ASI Gurtej Singh, submits that even if the recovery was not effected from the petitioner, he is real brother of Manjit Singh from whom the recovery was effected. He further submits that charges have been framed and out of the 12 witnesses, 2 witnesses have already been examined.

Considering the fact that the petitioner is in custody since 2.9.2014 and recovery was not effected from him and there is no such or similar case against him, the present petition is allowed. The petitioner is admitted to regular bail subject to his furnishing of bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate, Mansa.

November 02, 2015
AK

(HARI PAL VERMA)
JUDGE