

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

CRM-M No.38156 of 2015 (O&M)

Date of Decision: 07.12.2015

Nirvail Singh @ Fatta and another

..... Petitioners

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ashish Aggarwal, Advocate for the petitioners/accused.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent along with A.S.I. Harminder Singh.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 438 Cr.P.C. in case bearing FIR No.47 dated 14.08.2015, under Sections 411, 414, 489-A, 489-B, 489-C, 489-D of the Indian Penal Code; under Sections 15, 18, 21, 22 of the Narcotic Drugs and Psychotropic Substances Act; Section 14 of the Foreigners Act, 1946 and Section 3 of the Indian Passport Act, 1920, registered with Police Station Sarai Amanat Khan, District Amritsar City.

As per the allegations, the petitioner/accused along with 29 other accused belonging to different villages are alleged to be indulging in international smuggling of drugs.

Learned Counsel for the petitioners submits that the co-accused- Gursahab Singh @ Sahba @ Sahab Singh and Surjan Singh have since been granted anticipatory bail by this Court, vide order dated 16.11.2015. It is further submits that the petitioners have been falsely implicated in the present case as no

specific role has been assigned to them and no recovery has been effected from the possession of the petitioners.

Learned State Counsel, on instructions from A.S.I. Harinder Singh, does not refute the aforesaid factual position.

Without commenting on the merits of the case, keeping in view the custody period and the facts as noticed above, this Court finds that petitioners/accused deserve the concession of regular bail and as such they are ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Amritsar.

Disposed of.

December 07, 2015

Gagan

**(JASWANT SINGH)
JUDGE**