

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-38426 of 2014
Date of Decision : 28.04.2015

Krishan Singh @ Gattu

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. Liaqat Ali, Advocate
for the petitioner.

Mr. Gazi Mohd. DAG, Punjab.

R.P. Nagrath, J. (Oral)

Petitioner seeks bail under Section 439 Cr.P.C. in FIR No. 101 dated 20.04.2013 for offence under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Nakodar, District Jalandhar City.

Learned State counsel has filed the reply/affidavit of Deputy Superintendent of Police, Sub Division Nakodar, Jalandhar and the same is taken on record.

Learned State counsel submits that as per reply, the contention of petitioner that his wife was arrested in FIR No. 97 dated 19.04.2013 for offence under Section 22 of the NDPS Act, Police Station Sadar, Nakkodar has been verified and she was acquitted on 12.02.2015 by the Judge, Special Court. The instant FIR was registered against the petitioner on the next date and then it would be a seriously an arguable point if the judgment of acquittal of wife of petitioner would have a bearing in the FIR against him.

The allegation against the petitioner is that he was found in possession of 300 gms. of intoxicant powder.

The petitioner is in custody since 20.04.2013 i.e. for about two years and it will take long time in conclusion of the trial.

In view of the above and without commenting on the merits of the case, the instant petition is allowed and the petitioner be admitted to bail on furnishing bail bonds to the satisfaction of the trial Court.

Allowed in the above terms.

April 28, 2015
jk

(R.P. NAGRATH)
JUDGE