

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

CRM No.M-39101 of 2015

Date of decision: 30.11.2015

Rajpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: None for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Jagpal Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.66, dated 07.08.2013, registered under Section 15 of NDPS Act, at Police Station Jaito, District Faridkot.

Perused. It has been averred in the petition that the petitioner was not arrested from the spot. He is in custody since 03.03.2014.

On the other hand, the learned State counsel opposes the prayer of bail and states that 80 kg of poppy husk was recovered from the possession of the petitioner, which is a commercial quantity.

The challan stands presented; charges have been framed.

I have heard the learned State counsel and perused the record.

The Court has perused the zimni orders passed by the trial Court wherein on number of occasions, the petitioner was not produced before the Court. The petitioner is a young person of 30 years and is not involved in any other FIR prior to the registration of the present FIR. The charges were framed on 16.07.2014. Out of total 18 witnesses, only 04 PWs have been examined so far. Therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

30.11.2015

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(JITENDRA CHAUHAN)
JUDGE