

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

CRM-M-39685-2015

Date of Decision : 30.11.2015

DILBAG SINGH

..... PETITIONER

VS

STATE OF PUNJAB

..... RESPONDENT

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ranjit Sharma, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for regular bail in case bearing FIR No.171/2015 dated 10.10.2015 registered under Sections 21/25/29/61/85 of NDPS Act and Sections 25/27/54/59 of Arms Act at Police Station Sadar, District Amritsar.

Learned counsel for the petitioner has argued that in his disclosure statement the main accused (from whom the recovery was made) had identified him as a person who used to sometime purchase heroin from him for his own use and consumption and there is no allegation that the petitioner ever trafficked the contraband.

Custody certificate by way of affidavit of Ravinder Kumar Sharma, Superintendent, Central Jail, Amritsar has been filed and the same is taken on record.

Learned Deputy Advocate General on instructions from H.C. Satwinder Singh has accepted the aforesaid factual assertions but states that at the time when the petitioner was arrested he was in possession of a licensed revolver of another co-accused and that he was also involved in another matter under the NDPS Act in Tarn Taran wherein he was on bail.

Be that as it may, keeping in view the above facts and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I do not deem it appropriate to deny the concession of bail to the petitioner in view of the fact that there is no allegation that he was trafficking.

Bail to the satisfaction of CJM/Duty Magistrate, Amritsar.

Ordered accordingly.

Petition stands disposed of.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

November 30, 2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**