

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4284 of 2015 (O&M)

Date of Decision: 21.4.2015

Manpreet Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vikram Preet Arora, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the instant petition filed under Section 439 Cr.P.C praying for grant of regular bail to the petitioner in case F.I.R. No.162 dated 7.10.2013 under Sections 399, 402 I.P.C registered at Police Station, Sirhind, District Fatehgarh Sahib.

Learned counsel for the parties have been heard.

As per prosecution version, the present petitioner was allegedly armed with an iron *sabal* and even 1000 tablets of Phinotil were recovered from him. Accordingly, F.I.R No.165 dated 7.10.2013 under sections 22, 61, 85 of N.D.P.S Act was registered at Police Station Sirhind.

In so far as F.I.R No.165 dated 7.10.2013 is concerned, counsel appearing for the petitioner has produced before this Court certified copy of the order dated 26.5.2014 passed by the Special Court, Fatehgarh Sahib in terms of which the second bail application moved by the present petitioner under section 167 (2) Cr.P.C., has been allowed and benefit of bail has been granted on the ground that the prosecution has failed to present the challan even after extension of time had been granted for completion of investigation and presentation of challan.

The petitioner has been in custody since 7.10.2013.

Learned State counsel upon instructions from H.C. Makhan Singh would apprise the Court that out of 9 prosecution witnesses, 5 have been examined till date and even the I.O has not been examined till date. The trial, as such, would take some time to conclude.

Without making any observations on merits, prayer is allowed. The petitioner is held entitled to the concession of regular bail.

Petitioner be enlarged on bail subject to satisfaction of Trial Court.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

April 21, 2015
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