

CRM-M-5204 of 2015

Date of decision: April 06, 2015

Raja

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGHPresent: Mr. JBS Gill, Advocate
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

Jaspal Singh, J.(Oral)

Instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail to the petitioner in case FIR No. 21 dated February 12, 2013 registered at Police Station Sadar Phagwara, District Kapurthala.

2. It is an undisputed fact that name of petitioner neither figure in FIR nor he was arrested on the spot. The recovery of 35 Kgs of poppy husk and 250 gms of intoxicant powder were allegedly recovered from his co-accused namely Harwinder Kumar. The name of petitioner allegedly figured in disclosure statement of his co-accused Harwinder Singh that too, after 2/3 days of his arrest. Moreover, petitioner was arrested in this case on May 13, 2014 and since then he is behind bars. Challan has also been presented and is pending trial before learned Judge, Special Court, Kapurthala, disposal of which is likely to take sufficient long time.

3. In the light of what has been discussed above, instant petition is allowed and petitioner is ordered to be released on bail to the satisfaction of learned trial Court/ Chief Judicial Magistrate, Kapurthala.

April 06, 2015
sham**(JASPAL SINGH)**
JUDGE