

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

206

CRM-M-9202-2015

Date of Decision: 31.03.2015

GURBACHAN SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R.K.Gupta, Advocate
for the petitioner.

Mr.Varun Sharma, AAG, Punjab.

RAJ MOHAN SINGH, J.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.80 dated 13.8.2014 registered under Sections 15/29/61/85 of the N.D.P.S. Act, at P.S. Sadar S.B.S.Nagar, District S.B.S.Nagar.

Learned counsel for the petitioner submits that petitioner was not apprehended at the spot nor anything was recovered from his possession. Rather Dalvir Kaur and Joga Ram were arrested in the said FIR and the name of the petitioner appeared only in pursuance to the alleged disclosure statement made by the accused. Learned counsel further submits that the alleged recovery being, commercial in nature, cannot be attributed to the petitioner and in FIR No. 117 dated 17.11.2014 registered under Section 15 of the

N.D.P.S. Act at Police Station Balachaur, petitioner has already been granted regular bail.

Without adverting to the merits of the case, it will be just and expedient to grant benefit of regular bail to the petitioner.

Accordingly, this petition is allowed. Let the petitioner be enlarged on bail, subject to furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate, S.B.S.Nagar.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 31, 2015
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(RAJ MOHAN SINGH)
JUDGE