

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

CRM-M-10071 of 2016 (O&M)

Date of decision : 14.09.2016

Harpreet Singh @ Chintu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sunil Agnihotri, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Rajesh Kumar.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in FIR No.15 dated 09.08.2015, registered under Sections 21, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, at P.S. SSOC, Amritsar, Distt. Amritsar.

Reply on behalf of the respondent-State has been filed in the Court, is taken on record.

Contends that the petitioner was not arrested from the spot, in fact the petitioner has been falsely implicated in the present case. Except the disclosure statement of co-accused, Preetpal Singh, there is no evidence against the petitioner. The main accused-Preetpal Singh was admitted to hospital from where he has ran away. The Investigating Officer namely ASI

Inderjit Singh did not inquire into the matter in a fair manner and the inquiry officer is hostile to the petitioner. The petitioner is in custody since 11.08.2015.

On the other hand, the learned State counsel submits that the petitioner is a main conspirator and being a supplier involved in other FIRs. Charges have been framed and out of thirteen prosecution witnesses, none has been examined so far.

Heard.

Considering the facts that the petitioner is in custody since 11.08.2015; charges have been framed; out of thirteen prosecution witnesses, none has been examined so far; and all the prosecution witnesses are police officials therefore there is no likelihood to influence the course of trial, no purpose would be served in keeping the petitioner behind the bars, 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/Chief Judicial Magistrate/Duty Magistrate concerned.

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

14.09.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No