

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

**Criminal Misc. No. M-13835 of 2016  
Date of Decision:-06.12.2016**

Tehal Singh @ Tehla

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA**

Present:- Mr. Vipul Jindal, Advocate  
for the petitioner.

Mr. Gurinderjit Singh, Deputy A.G., Punjab.

**HARI PAL VERMA J.(Oral)**

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail during pendency of trial to the petitioner in case FIR No.43 dated 24.12.2009, under Sections 21, 25, 29, 61/85 of NDPS Act, registered at Police Station State Special Operation Cell, Amritsar.

Learned counsel for the petitioner states that no recovery was effected from the petitioner and recovery, if any was effected from the co-accused, who has been convicted by the trial Court vide judgment dated 7.6.2012. The petitioner was not arrested from the spot and is in custody since 16.6.2015.

Learned State counsel does not dispute the fact that petitioner was not arrested from the spot and admitted the custody of the petitioner

since 16.6.2015.

I have heard learned counsel for the parties.

Considering the fact that no recovery was effected from the petitioner and he was not arrested from the spot as well as the fact that he is facing the trial being in custody since 16.6.2015, the petition is **accepted**. The petitioner is admitted on regular bail on furnishing of his bail bonds and surety bonds subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Amritsar.

It is made clear that the observations made hereinabove shall not be construed as reflection of any opinion on the merits of the case and the trial Court shall decide the case on the basis of available evidence.

December 06, 2016  
Vijay Asija

( HARI PAL VERMA )  
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No