

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

(212-1)

CRM-M-14805-2016

Decided on: July 26, 2016.

Raninder Singh @ Bau @ Kaka

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. D.N. Ganeriwala, Advocate, for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

The petitioner after having been arrested on the basis of disclosure statement of Nachhattar Singh and Boota Singh allegedly got recovered 300 grams of heroin after making a statement under Section 27 of the Indian Evidence Act. He has been in custody w.e.f. 10.07.2015.

The mode of recovery under Section 27 of the Indian Evidence Act, as alleged, will certainly raise debatable issue during course of trial whether the petitioner could be said to have been found in actual physical possession of heroin.

Without expression of any opinion on merits, the petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that he will not indulge in similar activity of which he is accused of, during the entire period of trial.

**(M.M.S. BEDI)
JUDGE**

July 26, 2016

harsha

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No