

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

CRM-M-15163 of 2016 (O&M)

Date of decision: 07.12.2016

Hari Chand @ Lali

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Vishavjeet Singh, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Gurdarshan Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.36 dated 08.06.2015, registered under Sections 15, 25 & 60 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Bhikhi, District Mansa.

It is contended that the petitioner has been falsely implicated in the instant case. The alleged recovery of contraband was not effected from the conscious possession of the petitioner, rather, it was planted upon the petitioner. The petitioner is in custody since 08.06.2015.

On the other hand, learned State counsel opposes the bail application.

I have heard learned counsel for the parties and perused the record.

Keeping in view the fact that the petitioner is in custody since 08.06.2015; the challan stands presented; out of total 10 witnesses, only one PW has been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

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

07.12.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No