

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

CRM-M-16078 of 2016 (O&M)

Date of decision : 14.09.2016

Harbhajan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. Gurjeet Kaur, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Ram Krishan.

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.32 dated 05.02.2015, registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, at P.S. GRP Ludhiana, Distt. Ludhiana.

Custody certificate has been filed in the Court, is taken on record.

The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case on the basis of the disclosure statement of co-accused, Ashok Kumar. The quantity in question is non-commercial. The petitioner is not involved in any other FIR, which is not disputed by the learned State counsel. The petitioner is in custody since

01.03.2015.

On the other hand, the learned State counsel has vehemently opposed the present bail application. She further states that charges have been framed and out of twenty six prosecution witnesses, three have been examined so far.

Heard.

Considering the facts that the petitioner is in custody since 01.03.2015; charges have been framed; he is not involved in any other FIR; out of twenty six prosecution witnesses, only three have been examined; and the quantity in question is non-commercial, 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.

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