

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-1954 of 2016 (O&M)

Date of Decision: 06.04.2016

Simranjit Singh @ Gola

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. G.S. Bhatia, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.75 dated 21.5.2014 under sections 22, 61, 85 of N.D.P.S Act (offence under Section 29 of N.D.P.S Act has been added later on vide D.D.R No.29 dated 3.6.2015), registered at Police Station, Gate Hakima, District Amritsar City

Learned counsel for the parties have been heard.

As per prosecution version, alleged recovery effected from the co-accused Dheer Singh is of 140 grams of intoxicant powder and which as per F.S.L report contained Alprazolam salt.

Present petitioner was arrested on 13.4.2015 and has been implicated solely on the basis of disclosure statement of co-accused Dheer Singh and who had stated that he had purchased the contraband from the present petitioner.

No recovery has been effected from the present petitioner and it is not even the case of the petitioner that he had managed to escape from the spot.

Counsel for the petitioner has vehemently contended that even as per final report submitted under Section 173 Cr.P.C, there is no link evidence to substantiate the version of co-accused Dheer Singh that he had purchased the contraband from the petitioner.

Investigation having been completed, challan has been presented on 16.8.2015. The trial is stated to be still at the initial stage and would take time to conclude.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Amritsar.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

06.04.2016
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