

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1977 of 2016

Date of Decision: 27.01.2016

Ranjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vishal Deep Goyal, Advocate for the petitioner.

Mr. R.S. Randhawa, Addl.A.G, Punjab.

JASWANT SINGH, J (Oral)

Prayer is for grant of regular bail in case FIR No.07 dated 15.1.2015 under Sections 21,22,29,61,85 of the NDPS Act, P.S Barnala, District Barnala.

There is a recovery of 50 bottles of intoxicant liquor Rexcof from the bag of the co-accused Gursewak Singh while travelling in a Taxi accompanied and owned by the present petitioner-Ranjit Singh.

It is contended that the petitioner is in custody since 15.1.2015 and even from the allegations, the recovery cannot be fastened upon the co-traveller on the ground of a conscious possession. It is stated that no other case is pending against the petitioner.

Learned State counsel, on instructions from ASI

Harwant Singh, submits that the argument raised would be a moot point to be decided at the time of trial. However, he concedes that the petitioner is in custody since 15.1.2015 and is not involved in any other case and that the trial is yet to commence.

Without commenting upon merits of the case and keeping in view the facts of the present case and the fact that the trial is not going to be concluded in near future, no useful purpose would be served by keeping the petitioner behind the bars any longer.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Barnala.

January 27, 2016
manoj

(JASWANT SINGH)
JUDGE