

CRM-M-209 of 2016

Date of Decision: 12.01.2016

Rajdeep Singh alias Deepu

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Ashish Aggarwal, Advocate
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

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TEJINDER SINGH DHINDSA. J.

Petitioner seeks the benefit of regular bail pending trial in FIR No.96 dated 10.09.2014 , under Sections 21/61/85 of NDPS Act(Section 22, 29 of NDPS Act later on) registered at Police Station Maqboolpura, District Amritsar City.

As per the prosecution version, on the basis of suspicion an auto rickshaw bearing registration No.PB02-BV-7096 belonging to co-accused Raja was searched and an alleged recovery of 150 grams of intoxicant powder was effected from underneath the driver seat of the auto rickshaw.

The present petitioner is sought to be implicated on the basis that he was sitting on the passenger seat.

It is a peculiar case wherein a person using a public transport has been implicated without there being any recovery from his person.

Learned counsel would concede that the petitioner otherwise is not involved in any other case under the NDPS Act.

The petitioner has been in custody sine 05.11.2015. The trial

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is still at the initial stage. Without making any observations on merit, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail to subject to the satisfaction of CJM/Duty Magistrate, Amritsar.

12.01.2016
rimpal

(TEJINDER SINGH DHINDSA)
JUDGE