

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

**CRM NO. M-25744 OF 2016 (O&M)
DECIDED ON : 04.08.2016**

Malkit Singh @ Bittu

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. K. S. Sandhu, Advocate,
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

JASPAL SINGH, J. (ORAL)

Instant petition has been preferred under Section 439 Cr.P.C. by Malkit Singh @ Bittu seeking regular bail in case FIR No. 111 dated 19.07.2013 under Section 15 of the NDPS Act registered at Police Station Laddowal, District Ludhiana.

Custody certificate filed by learned State counsel is taken on record. The case of prosecution is that during patrolling duty by the police party headed by SI Narinder Singh, co-accused of the petitioner namely Jagsir Singh, Harmesh Singh and Gurjant Singh were intercepted in a pick up van and on search of the aforesaid pick up van 25 bags of poppy husk were recovered. During their disclosure statement, it was unfolded by them that the said bags were loaded in the pick up van by the petitioner. The petitioner was arrested in this case on 03.11.2015 and was subjected to custodial interrogation but

nothing incriminating could be recovered from him. Moreover, Jagsir Singh, a similarly situated co-accused, has already been granted regular bail vide order dated 13.08.2015. Moreover, report under Section 173 (2) Cr.P.C has already been presented against the co-accused. The presentation of challan against the petitioner and disposal thereof will take sufficient long time and this Court is of the considered view that no useful purpose would be served by keeping the petitioner behind the bars for indefinite period.

Without expressing any opinion on the merits of the case and taking into consideration the length of incarceration of the petitioner and all the above stated facts, instant petition is allowed. Petitioner is ordered to be released on bail at the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

AUGUST 04, 2016
shalini

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No