

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-30515 of 2016
Date of decision : November 11, 2016

Prabhjot Singh @ Mani

....Petitioner

versus

State of Punjab

....Respondents

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Kirpal S. Thakur, Advocate, for the petitioner
Mr. C.S.Brar, DAG, Punjab, for the respondent

Fateh Deep Singh, J. (Oral)

Learned counsel for the petitioner submits that the petitioner has appeared before the trial court and has been released on interim bail.

The allegations against petitioner Prabhjot Singh @ Mani in this bail application under section 438 Cr.P.C. are that on 24.5.2016, three persons were seen coming on motorcycle out of whom one managed to escape and subsequently on the statement of co-accused got identified as present petitioner and that from his co-accused 550 grams of intoxicant powder was recovered.

The contentions of the counsel for the petitioner are that the petitioner has joined the investigation when he was allowed interim/anticipatory bail by the court below and nothing was recovered from him and the only resemblance of evidence against him is the statement of his co-accused. The factual position could not be controverted by the

learned State counsel though he has sought to oppose the bail.

Having regard to the very legality and acceptability of evidence based on the statement of co-accused which is subject to judicial adjudication, impels this Court to make absolute order dated 31.8.2016.

With these observations, the present petition stands disposed off.

November 11, 2016

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**(Fateh Deep Singh)
Judge**

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No