

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

**Criminal Misc.No.M-33052 (O&M)
Date of Decision : 29th September, 2016**

Dalbir Singh alias Sandhu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Rakesh Kumar, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. A.G., Punjab
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

Custody certificate by way of affidavit of Kulwinder Singh Thiara, Superintendent, Central Jail, Jalandhar at Kapurthala, has been filed. Same is taken on record.

The petitioner has preferred the instant petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.205 dated 06.06.2014, registered at Police Station City Tarn Taran, District Tarn Taran, under Sections 21 and 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 and 25 of the Arms Act.

Learned counsel for the petitioner has argued that no recovery was made from the petitioner and he was arrested only on the basis of disclosure statement of the person from whom the recovery was made and similarly situated accused, who was also arrested on the basis of disclosure

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statement of the same accused, was granted bail by this Court vide order dated 08.08.2016, passed in Criminal Misc.No.M-15863 of 2016

As per custody certificate, the petitioner has already undergone 01 year 07 months and 15 days of actual sentence.

Learned State counsel, on instructions, has accepted the fact that Raj Kumar is also an accused in the said FIR and he has already been granted bail.

Therefore, I find no reason to take different view and deem it appropriate to release the petitioner on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

Ordered accordingly. Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

29th September, 2016

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No