

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

(205)

CRM-M-33388-2016

Decided on: October 21, 2016.

Gurwinder Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

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

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

Petitioner along with Sandeep Singh had allegedly fled away from the spot on being intercepted by the police leaving 40 vials of Rexcof and 250 tablets of Carisoma. The occurrence is dated 21.10.2014 and the petitioner was arrested on 18.02.2015.

The petitioner has been connected with the crime on the basis of statement of Manjinder Singh, the owner of the motorcycle to the effect that the petitioner and Sandeep Singh has taken his motorcycle for some time but they did not return.

Petitioner and Sandeep Singh have been involved in the case on the basis of statement of owner of the motorcycle. Their identity and involvement will certainly be a debatable issue as the prosecution has to establish the possession of the contraband during the course of trial to substantiate the suspicion against the petitioner.

Taking into consideration the period of detention suffered by the petitioner and only two witnesses out of fourteen having been examined, the petitioner can be granted the concession of bail.

The petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that he will not indulge in similar activity of which he is accused of, during pendency of the trial.

(M.M.S. BEDI)
JUDGE

October 21, 2016
harsha

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No