

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

CRM -M-35305 of 2016 (O&M)

Date of decision: 07.10.2016

Lakhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms. Manjeet Kaur, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 112 dated 20.09.2014, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Ramdass, District Amritsar.

It is contended that the recovery was not effected from the conscious possession of the petitioner. In fact, the recovery was effected from the vehicle driven by co-accused who ran away from the spot. The petitioner has no connectivity with co-accused/driver of the vehicle and he had taken lift in the vehicle. The petitioner is not involved in any other FIR and he is in custody since 20.09.2014.

On the other hand, the learned State counsel opposes the prayer of bail and states that the petitioner was arrested from the spot.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the alleged recovery was not effected from the petitioner; he is in custody since 20.09.2014; the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the CJM/Illaqa Magistrate/trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

07.10.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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