

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

CRM No. M-38715 of 2016

Date of decision:- December 02, 2016

SIKANDER SINGH

....PETITIONER..

VS.

STATE OF PUNJAB

....RESPONDENT..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Vishavjeet Singh, Advocate,
for the petitioner.

Mr. P.S. Paul, DAG, Punjab.

JASPAL SINGH, J. (Oral)

Through instant petition preferred under Section 439 of the Code of Criminal Procedure (for short, "Cr.P.C."), petitioner-Sikander Singh has sought concession of bail during pendency of trial, in case FIR No. 40, dated 23.04.2016, under Sections 15 and 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Dehlon, District Ludhiana.

2. Concededly, he is alleged to have retained 2 Kg. of opium and 6 Kg. of Poppy husk, at the time, he was intercepted. Recovery is non-commercial. The petitioner was arrested in this case on 23.04.2016 and since then he is cooling his heels behind the bars. Undisputably, on conclusion of investigation, challan has already been presented in the Court of Id. Jurisdictional Magistrate and the trial court is seisin of the matter.

Now, the trial is stated to be listed for arguments on the point of charge.

Disposal of challan is likely to take sufficient long time.

3. Thus, this Court is of the considered view that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

4. Taking into consideration the aforesaid aspects but without expressing any opinion on the merits of the case, the petition is allowed and petitioner is ordered to be released on bail, during pendency of trial, at the satisfaction of trial Court/Duty Magistrate.

December 02, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No