

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-38142 of 2015 (O&M)
Date of Decision: 18.01.2016

Mehal Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Ashish Aggarwal, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

Petitioner seeks the benefit of regular bail in case F.I.R. No.155 dated 1.10.2013 under section 21 of N.D.P.S Act (section 29 of N.D.P.S Act was added subsequently), registered at Police Station, Sarhali, District Tarn Taran.

Learned counsel for the parties have been heard.

As per prosecution version, an alleged recovery of 20 kgs heroin has been effected from the co-accused of the petitioner namely Rashpal Singh.

It has gone uncontroverted that no recovery has been effected from the present petitioner. His name did not even figure in the F.I.R. Rashpal Singh co-accused suffered a disclosure statement on 1.10.2013 on the strength of which Kuldeep Singh @ Manak, Chattar Pal Singh and Tehal Singh were implicated in the present case. The afore-noticed three co-accused have been granted the benefit of regular bail.

This Court finds the petitioner to be on a better footing in so far as his prayer for regular bail is concerned. His name did not even figure in the disclosure statement of Rashpal Singh on 1.10.2013. It is only after a

gap of four days that a disclosure statement of Rashpal Singh was recorded on 4.10.2013 in which the present petitioner has been named.

Petitioner has been in custody since 30.7.2015.

The trial is still stated to be at the initial stage.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Tarn Taran.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

18.01.2016
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