

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

**CRM M-39344 of 2016 (O&M)
Decided on: 16.11.2016.**

Tajinder Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Kartik Gupta, Advocate,
for the petitioner.

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

JITENDRA CHAUHAN.J.(ORAL)

This is an application filed under Section 439 Cr.P.C for grant of regular bail in case FIR No.22 dated 28.02.2015 registered under Section 22 of NDPS Act at Police Station Chabbewal, District Hoshiarpur.

Learned counsel for the petitioner states that the petitioner is neither the owner nor the driver of the vehicle. The recovery was not effected from the conscious possession of the petitioner. The petitioner is in custody since 28.02.2015. Co-accused of the petitioner, namely Ravinder Singh @ Ravi has already been granted regular bail by this Court vide order, Annexure P-5.

On the other hand, the learned State counsel opposes the bail application.

Heard.

Considering the fact that the recovery was not effected from the petitioner, the petitioner was one of the occupants of the vehicle from which the alleged recovery was effected, he is neither the owner nor the driver of the vehicle and the similarly situated co-accused has been granted regular bail by this Court vide order dated 07.09.2016 (Anexure P-5), 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 trial Court/concerned CJM/Duty Magistrate.

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

16.11.2016.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No