

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

CRM-M-41163 of 2016 (O&M)

Date of decision: 22.12.2016

Daljit Singh @ Kala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Vishva Nath Sharma, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by Harjinder Singh.

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. 153 dated 31.08.2016, registered under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station GRP, Ludhiana.

It is contended that the petitioner was neither arrested from the spot nor any recovery was effected from him. In fact, the petitioner has been framed in the present FIR on the basis of disclosure statement of co-accused, Vikas who had stated that the alleged contraband i.e. 4 kg of charas was to be delivered to the petitioner. The FSL report has not been received so far. The

petitioner is in custody since 02.09.2016.

On the other hand, learned State counsel opposes the bail application and admits the above factual aspect of the matter.

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

Considering the fact that the petitioner is in custody since 02.09.2016; the challan has not been presented so far, therefore, it can safely be inferred that 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 trial Court.

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

22.12.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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