

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

**CRL. MISC. No.M-43429 OF 2015
DATE OF DECISION : 10th AUGUST, 2016**

Manjit Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. R. S. Cheema, Senior Advocate with
 Mr. Jasjeet Singh, Advocate for the petitioner.

Mr. K. S. Sidhu, Deputy Advocate General, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.35 dated 05.03.2015 registered under Sections 21, 24, 25, 27, 28, 29, 30 and 61 of NDPS; Section 25 of the Arms Act and Section 66 of the Information Technology Act, 2000 at Police Station Sadar Jalalabad, District Fazilka.

Heard learned counsel for the rival parties for quite some time and perused the FIR and other documents in the bail petition.

The allegations against the petitioner are that he was driver of Gurdev Singh one of the accused person and had run away when the police party has intercepted the vehicle on 08.03.2015. The other evidence is that he has taken up receipt of ₹46,405/- but then there is no consistency that the amount is accepted and sent by Gurmej Singh from UK. The prosecution thus has the only evidence about the recovery of

₹46,405/- but then that cannot be related to the offence in question. Merely because the petitioner has run away from the jeep, it cannot be averred that there is prima facie case against him in relation to the narcotic drugs which were in custody of other persons in the vehicle.

In the light of the above, I am inclined to grant bail to the petitioner. Hence, I make the following order:

ORDER

- (i) The petition is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned Trial Court/Duty Magistrate, Fazilka.

10th AUGUST, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE