

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM M- No. 5609 of 2016
Date of decision : July 21, 2016

Amrik Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CRM M- No. 8538 of 2016

Jaswant Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

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

Present:- Mr. P. S. Sekhon, Advocate
for the petitioner.

Mr. Suneet Pal Singh, Additional
Advocate General, Haryana.

A.B.CHAUDHARI, J (oral).

Heard learned counsel for the rival parties and perused the FIR in question namely FIR No. 154 dated 22.3.2014 registered under Sections 15 of the NDPS Act at Police Station Assand District Karnal.

Upon perusal of the prosecution reply filed on record, it appears that Jaswant Singh was only the owner of the car and not occupant of the car in question , though he was arrested on spot. Never the less, he was not occupier of the car at the relevant time.

Insofar as Amrik Singh is concerned, nothing is seized from him on personal search. Only the allegations are made against the aforementioned petitioners that they were arrested on the spot. It is true that the quantity seized from the car is commercial quantity but the mere

fact that Jaswant Singh is owner of the Car and therefore must be continued in detention does not appeal to me. As far as Amrik Singh is concerned, on personal search nothing has been found from him nor is alleged to have been occupant of the car. The petitioners were arrested on 22.3.2014 and have been in jail since then.

Learned State counsel submits that the trial is on and three witnesses have been examined out of eleven.

In that view of the matter, I am inclined to grant bail to the present petitioners. The petitioners namely Amrik Singh and Jaswant Singh in CRM -M No. 5609 and 8538 of 2016 respectively are ordered to be released on bail to the satisfaction of the concerned Trial Court.

The petitions are allowed.

(A.B.CHAUDHARI)
JUDGE

July 21 , 2016
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