

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.588 of 2016

Date of Decision:-04.03.2016

Gurcharan Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Raj Kumar Gupta, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
assisted by ASI Darshan Lal.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Gurcharan Singh in case FIR No.103 dated 19.08.2012 for offences punishable under Sections 15, 61 & 85 of the NDPS Act, registered with Police Station Machhiwara, District Khanna.

On a secret information raid was conducted on the house allegedly owned by Bachitter Singh and Petitioner Gurcharan Singh and from the room storing cattle feed, recovery of 105 Kgs of Poppy Husk was effected.

The petitioner is stated to be 64 years old and suffering from serious heart ailment as per Annexure P-1. He is stated to be in custody

since 19.08.2012 and the trial is not likely to be concluded in near future as there is an application under Section 319 Cr.PC moved by the prosecution for summoning of the persons declared innocent.

Learned State Counsel assisted by ASI Darshan Lal does not refute the fact that the petitioner has already undergone three years and 07 months as an under trial and the trial is not likely to be concluded in near future.

Without commenting on the merits of the case, keeping in view the delay in conclusion of the trial, the already suffered custody period and the fact that the trial is not likely to be concluded in near future, present petition is allowed and the petitioner **Gurcharan Singh** is ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, Ludhiana.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

March 04, 2016
Vinay