

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

CRM No. M-6426 of 2016.

Decided on: 08.07.2016.

Balwinder Singh @ Binder

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. P.K. Ganga, Advocate,
 for the petitioner.

Mr. Mehardeep Singh, Addl. AG, Punjab.

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 case FIR No. 16 dated 21.2.2015, registered under Sections 22 and 25 of the NDPS Act, at Police Station Kotfatta, District Bathinda.

Learned counsel for the petitioner contends that the petitioner was not arrested from the spot. The petitioner is in custody since 6.6.2015. The petitioner has been falsely implicated in the present case. Except the statement of co-accused Manjit Kaur, there is no evidence on record against the petitioner.

On the other hand, learned State counsel submits that there is another case against the petitioner under the NDPS Act registered at Police Station Rania, District Sirsa wherein the petitioner was arrested from the spot. He further states that out of 12 witnesses

two have already been examined.

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

Considering the fact that the petitioner is in custody since 6.6.2015, the petitioner was not arrested from the spot, out of 12 witnesses, two have been examined, therefore, it can safely be inferred that the trial is not likely to be concluded in near future, no purpose would be served by keeping the petitioner in further incarceration. Accordingly, without advert 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.

08.07.2016
SN

(JITENDRA CHAUHAN)
JUDGE