

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

CRM No.M-7782 of 2016 (O&M)

Date of Decision: 08.04.2016

Beant Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. D.S. Gandhi, Advocate for
Mr. Vivek Salathia, Advocate for the petitioner.
Ms. Manpreet Dhaliwal, AAG, Punjab.

....

TEJINDER SINGH DHINDSA, J.

CRM No.11576 of 2016:

Application is allowed as prayed for. Documents at Annexure
P-2 and P-3 are taken on record.

Application is disposed of.

Main case:

Petitioner seeks benefit of regular bail pending trial in case FIR
No.193 dated 03.11.2015, under Sections 21/25 of the NDPS Act, registered
at Police Station Ghall Khurd, District Ferozepur.

Counsel for the parties have been heard.

As per prosecution version, raid having been conducted, two
co-accused, namely, Sukhpal Singh and Lakhvir Singh were apprehended
from the spot and the recovery of 260 grams of heroin was effected from
Sukhpal Singh.

The present petitioner was not present at the spot and as such,
not apprehended. He is sought to be implicated on the basis of disclosure
statement of co-accused, Sukhpal Singh and thereafter, recovery of 260
grams of heroin has been shown against the petitioner also.

Such alleged recovery would be construed as marginally over and above the commercial quantity.

Petitioner has been in custody since 08.11.2015.

Co-accused, Sukhpal Singh has been granted benefit of bail by this Court vide order carrying even date i.e. 08.04.2016 passed in CRM No.M-6999 of 2016.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

Disposed of.

08.04.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**