

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

CRM-M-9499 of 2016

Date of decision: May 18, 2016

Saraj Singh

..... **Petitioner**

Versus

State of Punjab

..... **Respondent**

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Jashanpreet Singh, AAG, Punjab.

M.M.S. BEDI, J. (ORAL)

The petitioner has been involved in this case on the basis of disclosure statement made by co-accused Darbara Singh on 08.10.2013 to the effect that the petitioner also had a share in 10 Kg of heroin which was recovered on Khem Karan border on 19.03.2013.

Neither any recovery has been effected from the petitioner nor any material could be gathered during the course of investigation regarding complicity of the petitioner in this case. The prosecution in the present case will be required to establish the suspicion of conspiracy against the petitioner by producing evidence on the basis of material already available in the report under Section 137 Cr.P.C which appears to be debatable. The petitioner has been in custody w.e.f. 24.10.2013.

In the aforesaid circumstances, the petitioner can be granted the concession of bail at this stage.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that he will not commit the similar offence of which he accused of, during the entire period of trial.

May 18, 2016
Dinesh Bansal

(M.M.S. BEDI)
JUDGE