

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

CRM -M-16699 of 2017 (O&M)

Date of decision: 25.05.2017

Jagpreet Singh @ Sunny

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. APS Sandhu, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, 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 FIR No. 0055 dated 29.08.2016, registered under Sections 21, 22 & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station D-Division, District Police Commissionerate, Amritsar.

It is contended that the petitioner was not arrested from the spot. He has been falsely implicated on the basis of disclosure statement of co-accused Harpal Singh from whose custody allegedly 600 gms of intoxicant powder was recovered. The petitioner in fact was already in jail in FIR No.49 dated 22.08.2013. The recovery in the present case is effected from co-accused, Harpal Singh.

On the other hand, the learned State counsel opposes the bail

application.

Heard.

Considering the facts that no recovery was effected from the petitioner; there is no investigation qua source of contraband allegedly recovered from coaccused, Harpal Singh; challan has been presented; the conclusion of trial will take a long time, without adverting 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.

25.05.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No