

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-34653 of 2016

.....

Date of decision:9.2.2017

Hardeep Singh alias Parry

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Ashok Saini, Advocate for the petitioner.

Mr. Deep Singh, Assistant Advocate General, Punjab
for the respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.205 dated 6.6.2014 registered for the offences under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the Act') read with Section 25 of the Arms Act at Police Station City Tarn Taran, District Tarn Taran.

Notice of motion has been issued in this case.

Mr. Deep Singh, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that in the present case, no recovery has been effected from the present petitioner, rather, he was arrested in this case by way of production warrants as he was already in jail in another case. The petitioner has been charged under Section 29 of the NDPS Act. The present petitioner has only been nominated on the statement of co-accused Amandeep Singh that 21 packets of Heroin had been handed over to the present petitioner. As already discussed, no recovery has been effected from the present petitioner. The present petitioner has already been granted interim bail, vide order dated 27.10.2016 by this Court.

Keeping in view the above discussion and also the fact that Gurbinder Singh alias Binder also in similar circumstances has been granted bail by this Court vide order dated 26.4.2016, I find merit in the present petition and the same is allowed. The interim order dated 27.10.2016 passed by this Court granting interim bail to the petitioner is made absolute.

February 9, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No