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IN THE HIGH COURT OF PUNJAB & HARYANA
CHANDIGARH

1. CRM No. M- 34999 of 2016 (O&M) Date of Decision: 11.01.2017

Mandeep Singh

--Petitioner

Versus

State of Punjab

--Respondent

2. CRM No. M- 43413 of 2016 (O&M)

Vishal @ Shalu

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Vivek Aggarwal and Mr. Jasneet Mehra, Advocates
for the petitioners.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of CRM No. M-34999 of 2016 (Mandeep Singh Vs. State of Punjab) and CRM No. M-43413 of 2016 (Vishal @ Shalu Vs. State of Punjab) as both these petitions have been filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioners in case F.I.R. No.375 dated 14.08.2016 under sections 379-B, 379, 411, 420, 472, 473, 34 of the I.P.C and Sections 22, 29, 61 and 85 of the NDPS Act, registered at Police Station, Civil Lines, Amritsar.

Learned counsel for the parties have been heard.

As per prosecution version a police party during the course of routine patrolling had accosted three youngsters who were riding a motorcycle on 14.08.2016. It is alleged that from Luvpreet Singh @ Shally 525 intoxicant tablets were recovered and for which he could not produce any bill or license. In so far as Mandeep Singh i.e. petitioner in CRM No. M-34999 of 2016 the alleged recovery of three mobile phones from the right pocket of his pant which were without SIM Cards as also one air pistol

without shells. Furthermore a stolen Activa Scooter is stated to have been recovered on the basis of a disclosure statement made by Mandeep Singh. The recovery allegedly effected from Vishal @ Shallu i.e. petitioner in CRM No. M-43413 of 2016 is also of three mobile phones without SIM Cards.

Both the petitioners herein are in custody since 14.08.2016.

Investigation in the case is complete, challan stands presented and even charges have been framed. The trial is at the very initial stage and would take time to conclude.

In so far as the present two petitioners are concerned, even as per prosecution version there is no recovery for commission of offence under N.D.P.S. Act.

Without making any observations on merits, both the petitions are allowed. Petitioners be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, Amritsar.

Petitions disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

11.01.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	No