

207 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35496-2017 (O&M)

Date of decision: 08.12.2017.

Navdeep Singh @ Deepa

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Thind, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG Haryana.

Jitendra Chauhan, J. (Oral)

Reply by way of affidavit of Deputy Superintendent of Police Ellenabad, District Sirsa filed today in the Court is taken on record.

This is fourth bail application filed under Section 439 for grant of bail in case FIR No.555 dated 31.12.2015 registered under Sections 21 and 22 of NDPS Act and Sections 420, 467, 468 and 471 IPC at Police Station Rania, District Sirsa.

Learned counsel for the petitioner contends that as per notification dated 29.12.1986 issued by Haryana Government Excise and Taxation Department, the competent officer to carry out the necessary search has to be above the rank of ASI. In the instant case, the substantive rank held by EASI Ram Kumar is Head Constable.

On the other hand, the learned State counsel states that only one witness remains to be examined and the case is at the fag end.

Heard.

Keeping in view the fact that only one PW remains to be examined and the fact that huge quantity of contraband was recovered from the petitioner, the Court feels that no case for bail is made out as this is a question of fact which can be proved by leading cogent evidence. Consequently, the petition is dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

08.12.2017.

SN

(JITENDRA CHAUHAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No