

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

CRM -M-3653 of 2017 (O&M)

Date of decision: 28.02.2017

Zora Singh @ Jora Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms. G.K. Mann, 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. 81 dated 28.08.2012, registered under Sections 15 & 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') and Section 420 of IPC, at Police Station Mehna, District Moga.

It is contended that the petitioner was not arrested from the spot. The recovery in the instant case was effected on the basis of secret information. The petitioner has been falsely implicated being the registered owner of the vehicle which in fact he had sold to Jasbir Singh as is made out from Annexure P-2, affidavit of the petitioner. The vehicle was in the possession of co-accused Jasbir Singh. She further states that the petitioner came to learn about the factum of his being accused only when the police came to arrest him after he has been declared proclaimed

offender. The material witnesses stand examined. The petitioner is in custody since July, 2015.

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

I have heard learned counsel for the parties and perused the record.

Considering the fact that the material witnesses stand examined; the petitioner is in custody since July, 2015 and the vehicle stands transferred in favour of co-accused Jasbir Singh in pursuance to Annexure P-2, 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 CJM/Duty Magistrate/trial Court.

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

28.02.2017

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(JITENDRA CHAUHAN)
JUDGE

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