

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

**Criminal Misc. No. M-40730 of 2017
Date of Decision:-01.12.2017**

Narinder Singh alias Nandu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present:- Mr. P.S. Sekhon, Advocate
for the petitioner.

Mr. H.S. Grewal, Additional A.G., Punjab.

FATEH DEEP SINGH J.(Oral)

The allegations against the petitioner Narinder Singh alias Nandu in this regular bail application under Section 439 Cr.P.C. in case FIR No.110 dated 4.10.2017, under Sections 15 and 18 of NDPS Act, registered at Police Station Longowal, District Sangrur, are that on 4.10.2017 from the house of the petitioner 120 boxes having 1500 bottles of country-made liquor (for which separate case was registered against the petitioner under the Punjab Excise Act) alongwith 3 kilograms of poppy husk and 100 grams of opium, both of non-commercial quantity, were recovered, leading to arrest of the petitioner and registration of the said FIR.

The contentions of counsel for the petitioner is that the

petitioner is behind the bars since for the last 1 month and 20 days and that the trial in the case is not likely to be concluded in near future and the petitioner has already been released on bail under the Punjab Excise Act.

Learned State counsel though has not disputed and displaced the factual scenario but has strongly opposed the grant of bail to the petitioner on the ground of heinousness of offence and seriousness of crime.

Appreciating the submissions since non-commercial quantity has been recovered from the house of the petitioner, who has already been released on bail in a case under the Excise Act and the recovery of contraband from the petitioner's house is a debatable issue. Keeping in view the period of incarceration undergone by the petitioner and the fact that the trial will take a long time to conclude, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sangrur.

The petition stands disposed off accordingly.

December 01, 2017
Vijay Asija

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No