

CRM-M-41002-2017

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

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Date of Decision: 08.12.2017

Karanbir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vipul Jindal, Advocate,
for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Karanbir Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.57 dated 08.09.2017, registered at Police Station Khemkaran, District Tarn Taran, under Section 21 of the NDPS Act, 1985 and Sections 25 and 27 of the Arms Act, 1959.

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

Learned counsel for the petitioner argued that the present petitioner is the son of the main accused, Lakhbir Singh.

As per the prosecution version, the present petitioner was driving the car and on the personal search of co-accused, Lakhbir Singh,

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who is father of the present petitioner, recovery of 295 grams of heroin was recovered from his pocket. Neither any recovery was effected from the car, nor from the personal search of the present petitioner. It is still a debatable issue as to whether the present petitioner was knowing the possession of the contraband by the co-accused and whether possession of co-accused in these circumstances can be held as possession of the present petitioner also.

The petitioner has been in custody since 08.09.2017. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

08.12.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No