

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

CRM No. M-4320 of 2017.

Date of Decision: 14.02.2017.

Harnek Singh @ Billa

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Rishu Mahajan, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Salvinder Singh.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 the Cr.P.C seeking regular bail in case FIR No.81 dated 19.04.2015, registered under Sections 15 and 18 of NDPS Act at Police Station Bhargo Camp, District Jalandhar.

Learned counsel for the petitioner contends that the petitioner is neither owner of the truck nor the recovery of the contraband was effected from the possession of the petitioner. The contraband in question was recovered from the standing truck. Except the fact that the petitioner was seen in the proximity of the truck, there is no evidence against the petitioner to connect him with the recovery. He is in custody since 22.04.2015.

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

Heard.

Keeping in view the fact that though the petitioner was arrested from the spot but is in no way the petitioner is connected with either the vehicle or co-accused, the challan stands presented, out of ten prosecution witnesses only six have been examined so far, therefore, it can be safely concluded that the conclusion of trial will take a long time so, without commenting on the merits of the 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 trial Court/duty Magistrate concerned.

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

14.02.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No