

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

CRM-M-4409-2017 (O&M)
Date of decision: 20.02.2017

BALJINDER SINGH @ RINKU

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. H.S. Bhullar, Advocate for the petitioner (s).

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Manoj Kumar.

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.03 dated 21.01.2016, registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act'), at Police Station Nurmahal, Distt. Jalandhar.

Contents that the petitioner has been falsely implicated on the basis of disclosure statement of co-accused, Joga Singh, who has been admitted to bail by this Court vide order dated 20.10.2016. The petitioner is neither the owner nor the driver of the vehicle allegedly from which 400 kgs. of poppy husk was recovered. He was not arrested from the spot. He is not involved in any other case under NDPS Act, which is duly admitted by

the learned State counsel.

On the other hand, the learned State counsel vehemently opposes the present petition and states that challan has been filed and charges are yet to be framed.

Heard.

Considering the facts that the petitioner was not arrested from spot; he is not involved in any other case under NDPS Act; he is neither the owner nor the driver of the vehicle from the alleged recovery was effected; challan stands presented; and charges are yet to be framed, trial is likely to take a long time, therefore, no purpose would be served in keeping the petitioner behind the bars, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court, concerned.

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

20.02.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No