

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

CRM M-45796 of 2016 (O&M)

Date of Decision: 30.10.2017.

Amanpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Mansur Ali, Advocate,
for the petitioner.

Ms. Gulnoor Ghuman, AAG Punjab.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 Cr.P.C seeking bail in case FIR No.35 dated 08.05.2016 registered under Section 22 of NDPS Act, 1985 at Police Station City-II, Malerkotla, District Sangrur.

Learned counsel for the petitioner contends that the the petitioner has been falsely implicated in the present case. Earlier, the police picked up petitioner's father whereupon the petitioner had to file Crl.WP No.2309 of 2010. On visit of Warrant Officer, he was found to be in illegal custody of the police. It is further contended that in the Enquiry Report (Annexure P-2) prepared by CJM, Sangrur, the story of the police that the father of the petitioner was required in some case was found to be false. In fact, he was acquitted in that case. ASI Sukhdev Singh used to bring the police file CRWP No.2309 of 2010. Same ASI Sukhdev Singh registered the present FIR under the NDPS

Act against the petitioner. It is further contended that there is violation of Section 50 of NDPS Act.

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

Heard.

Considering the aforesaid contentions and the fact that the challan stands already presented, the petitioner is in custody since 08.05.2016, 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.

30.10.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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