

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-8808 of 2017

Date of decision : March 21, 2017

Ilahi Bakhsh

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. KBS Mann, Advocate, for the petitioner

Mr. A.S. Kaler, DAG, Punjab, for the respondent

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Ilahi Bakhsh in this regular bail application under section 439 Cr.P.C. are that on 28.10.2016 the petitioner was apprehended by the police and recovery of 2 kgs of opium, a non commercial quantity in view of the provisions of section 2 vii(a) & xiii (a) of the NDPS Act was effected from him. The petitioner is in custody since more than four and a half months and the trial is not likely to be concluded in near future, though the bail is opposed by the learned State counsel.

Keeping in view the substantive period of incarceration and the fact that the trial is not likely to be concluded in near future, without adverting to the merits of the case and the culpability if any shall be determined at the time of trial, the instant application is allowed. Bail to

the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Sri Muktsar Sahib.

The present petition stands disposed off accordingly.

March 21, 2017
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No