

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

CRR-400 of 2016(O&M)

Date of decision: 12.1.2017

Joginder Singh alias Simarjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE GURMIT RAM

Present: Mr. O.P. Kamboj, Advocate and
Mr. B.S. Aliana, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab.

GURMIT RAM, J. (Oral)

This Criminal revision petition has been filed for the grant of bail to the petitioner – Joginder Singh alias Simarjit Singh in case FIR No.28 dated 18.2.2015, under Sections 22/25/29 of NDPS Act, registered at Police Station Sadar, Fazilka, District Fazilka and for setting aside the impugned order declining bail passed by the Court learned Judicial Magistrate Ist Class, Fazilka dated 29.10.2015 (Annexure P-2) and order passed by the learned Special Court, Fazilka dated 24.12.2015 (Annexure P-3).

Learned counsel for the petitioner has contended that the petitioner has been declared as juvenile and at present he is being tried along with other juveniles by the Court of Principal Magistrate, Juvenile Justice Board, Fazilka and this fact is not denied by learned State counsel.

It has also been contended by learned counsel for the petitioner that petitioner was arrested in this case on 18.4.2015 and since then he is in custody.

Learned State counsel has opposed the bail application of the petitioner very strongly. He contends that vehicle used in this case belonged to the present petitioner.

The trial of the case of the petitioner will take some time for its disposal. Recovery, if any, has already been effected from the petitioner.

So in these circumstances, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety bonds to the satisfaction of the Principal Magistrate, Juvenile Justice Board/Chief Judicial Magistrate, Fazilka and the orders Annexure P-2 and Annexure P-3 are set aside.

This petition stands disposed of accordingly.

12.1.2017
Brij

(GURMIT RAM)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No