

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-1033-2018 (O&M)

Date of Decision: 13.03.2018

Nishan Singh

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Manjot Kaur, Advocate for the petitioner.

Mr. Ashish Yadav, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.928 dated 16.10.2017 under sections 21, 29 of N.D.P.S Act and sections 7, 12, 13 of Prevention of Corruption Act, section 42 of the Prison Act and section 120-B I.P.C, registered at Police Station, Thanesar City, District Kurukshetra.

Learned counsel for the parties have been heard.

As per prosecution version, recovery of 5 grams smack and Rs.2,000/- in Indian currency was effected from co-accused Jai Singh, who is a jail official. Present petitioner is sought to be implicated on the disclosure statement of another co-accused namely Ranjit Singh and as per which the present petitioner, who was already a jail inmate had provided his A.T.M card to one Som Pal, Lambardar so as to facilitate the purchase of smack by Ranjit Singh and to be passed on to the jail official Jai Singh and ultimately delivered to the present petitioner.

Concededly, there is no recovery effected from the conscious possession of the present petitioner.

Even the alleged recovery would be construed as small quantity.

Petitioner is not involved in any other case under the N.D.P.S Act, even though, he is a convict in a murder case and is facing other criminal proceedings as well.

The date of arrest shown of the petitioner in the present case is 27.11.2017.

Investigation in the present case is complete and the trial is at the very initial stage and would take time to conclude.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate concerned provided he is not required in custody in any other case.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

13.03.2018

lucky

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No