

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

Crl. Misc. M – 11508 of 2018

Date of Decision:- 23.03.2018

Shinder Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Munish Gulati, Advocate, for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in FIR No. 161 dated 29.09.2017, registered at Police Station Sadar Patti, District Tarn Taran, under Sections 21/25/29 of the NDPS Act, 1985 as well as Sections 307, 332, 353, 186 IPC and Section 25 of the Arms Act, 1959.

As per the allegations contained in the FIR a co-accused was arrested on the basis of secret information. Subsequently, the petitioner was also named in the FIR by another co-accused. The role attributed to him is of taking over possession of 1 ½ Kg of heroine.

Learned counsel for the petitioner has submitted that the petitioner has been in custody since 11.12.2017. The investigation is complete and that the petitioner is not involved in the offences under Sections 307, 332, 353, 186 IPC and Section 25 of the Arms Act. Thus, he deserves to be released on regular bail.

Learned State counsel does not dispute that there is no allegation against the petitioner so far as the offences under various provisions of Indian Penal Code and Arms Act, 1959 are concerned. It is

also not disputed that the investigation in this case is complete. The only submission is that the petitioner is named in another FIR under the NDPS Act, 1985 and, therefore, it would not be safe to release him on bail.

Keeping in view the totality of the facts and circumstances of this case and the fact that the completion of trial would take some time, no useful purpose will be served by keeping the petitioner in custody. There is no allegation that he was involved in incident of use of fire arms.

The petition is accordingly allowed. Petitioner – Shinder Singh is ordered be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

March 23, 2018
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(SUDHIR MITTAL)
JUDGE

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