

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

**CRM-M No.20955 of 2018 (O&M)
Decided on: 20.08.2018**

Pippal Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Nakul Sharma, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

CRM No.18124 of 2018

Heard.

Allowed as prayed for.

CRM-M No.20955 of 2018

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.28 dated 09.04.2018, for offence punishable under Section 379-B of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Lakho Ke Behram, District Ferozepur.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 09.04.2018 and the FIR was registered after 02 days of the alleged incident dated 07.04.2018. It is further submitted that the in the 02 other FIRs registered under the NDPS Act, the petitioner was convicted in the year 2012 and 2015 and was directed to pay fine as the recovery was of small quantity. It is further submitted that the petitioner is not involved in any other case under

Section 379-B IPC, the challan has been presented and conclusion of the trial will take some time.

Learned counsel for the State has filed the affidavit of ASI Harmeet Chand, Police Station Lakho Ke Behram, District Ferozepur and as per the affidavit, the petitioner stands convicted in 02 cases under the NDPS Act pertaining to the year 2012 and 2015.

Without commenting anything on merits of the case, considering the fact that the petitioner is no more required for any custodial investigation; the recovery has already been effected and the conclusion of the trial is likely to take some time, this petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

20.08.2018	(ARVIND SINGH SANGWAN)
<i>yakub</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No