

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

**Criminal Misc. No. M-22602 of 2018 (O&M)
Date of decision: 22.11.2018**

Manpreet Singh @ Manni

..Petitioner

Versus

The State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. B.S. Kathuria, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab
for the respondent-State.

Daya Chaudhary, J. (Oral)

Criminal Misc. No.40968 of 2018

This application has been moved for placing on record
Annexure P-2 (colly).

Application is allowed and Annexure P-2(colly) is taken on
record.

Criminal Misc. No. M-22602 of 2018

The present petition has been filed by petitioner-Manpreet
Singh @ Manni under Section 439 Cr.P.C. for grant of regular bail to him in
case FIR No.180 dated 08.08.2017 registered under Section 15/61/85 of the
the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station
Sadar Ludhiana, District Ludhiana, Punjab.

Learned counsel for the petitioner submits that the petitioner
has falsely been implicated in the case whereas he was not found at the

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place of occurrence. The petitioner is student and is pursuing BCA Degree at Baba Khajan Das College of Management Technology, Ludhiana. The petitioner was picked up subsequently from his house after a period of three months from the date of registration of FIR. Learned counsel further submits that no test identification parade was conducted and no independent witness was joined at the time of alleged recovery whereas it was a very busy place. No other case is pending against the petitioner and he is in custody since 24.11.2017. Learned counsel for the petitioner also submits that all the witnesses are official witnesses and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence. The trial may take time to conclude and no purpose would be served by keeping the petitioner in custody.

Learned State counsel has not disputed the custody period as well as the fact that no other case is pending against the petitioner.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

Keeping in view the submissions made by learned counsel for the petitioner that the petitioner is in custody since 24.11.2017; he was not arrested at the place of occurrence and was arrested subsequently after a period of three months from the date of registration of FIR; all the witnesses are official witnesses and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence; no other case is pending against the petitioner; the trial may take time to conclude and no purpose would be served by keeping the petitioner in custody, the present

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petition is allowed and the petitioner (Manpreet Singh @ Manni) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

22.11.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No