

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-24269-2018

Date of Decision: 11.12.2018

Bitta Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Harsh Garg, Advocate for the petitioner.

Mr. AS Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this second petition under Section 439 Cr.P.C., petitioner-Bitta Singh, has prayed for grant of regular bail in case FIR No. 0149 dated 04.08.2016 registered under Sections 15 and 25 of the NDPS Act, 1985 at Police Station Dakha, District Ludhiana (Rural).

According to the prosecution, on 04.08.2016, the petitioner was apprehended by the police with 320 Kgs. of poppy husk contained in 10 plastic bags, while transporting the same in canter bearing registration PB-12-T-4845. Petitioner is the owner of said canter.

Learned counsel *inter alia* contends that the petitioner has falsely been implicated in the instant case. The petitioner is in custody since 04.08.2016 i.e. for more than two years. Conclusion of trial may take long time. No useful purpose would be served by detaining the petitioner in jail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Bitta Singh, is ordered to be released on bail pending trial, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

December 11, 2018
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(RAMENDRA JAIN)
JUDGE

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