

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

**Criminal Misc. No. M-26869 of 2018  
Date of decision: 24.08.2018**

**Prempal Singh**

**..Petitioner**

**Versus**

**State of Punjab**

**..Respondent**

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

**Present:** Mr. G.S. Sandhu, Advocate  
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab  
for the respondent -State.

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**Daya Chaudhary, J. (Oral)**

The present petition has been filed by the petitioner-Prempal Singh under Section 439 Cr.P.C. for grant of regular bail in case FIR No.207 dated 15.11.2017 registered under Section 22, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

Learned counsel for the petitioner submits that as per allegations levelled in the FIR, the petitioner has been shown to be arrested from the spot having a poly bag tied on the motorcycle. Learned counsel further submits that the recovery was effected from thorough fare whereas no independent witness was joined. Nothing is to be recovered from the petitioner and all prosecution witnesses are official witnesses and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence. Learned counsel also submits that co-accused of the petitioner, namely, Balkar Singh @ Jogi has been released on regular bail by this Court vide order dated 03.05.2018 passed in Criminal Misc. No. M-12945 of

2018. Another co-accused, namely, Palwinder Singh has also been released on regular bail by this Court vide order dated 01.06.2018 passed in Criminal Misc. No. M-23368 of 2018. The petitioner is in custody since 15.11.2017 and no other case under NDPS Act is pending against him. 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 release of co-accused on regular bail by this Court.

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.

In view of the submissions made by learned counsel for the petitioner and by considering that the petitioner is in custody since 15.11.2017; his co-accused, namely, Balkar Singh @ Jogi and Palwinder Singh have been released on regular bail by this Court; the trial may take time to conclude; no purpose would be served by keeping the petitioner in custody and all witnesses are official witnesses and there is no possibility that the petitioner may influence the witnesses, the present petition is allowed and the petitioner (Prempal Singh) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

**24.08.2018**  
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**(DAYA CHAUDHARY)**  
**JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No