

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27030-2018

Date of decision: 08.08.2018

Arjun Parsad Yadav

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.B.S. Mann, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.29 dated 03.03.2018 under Section 18 of NDPS Act, registered at Police Station Arniwala, District Fazilka.

Learned counsel for the petitioner submits that the petitioner is the first offender and is not involved in any other case under the NDPS Act. It is further submitted that the petitioner is in judicial custody since 07.03.2018 and since the case is still at the stage of framing of charge, it will take long time in conclusion of the trial. Counsel for the petitioner further submits that recovery effected from the petitioner is of 2 kg 600 gram of opium, which is marginally higher than the commercial quantity and the Investigating Officer/SHO/SI Panjab Singh, who had conducted the search and investigation in the case, was later on suspended for conducting the faulty investigation in some other case.

Learned State counsel, on instructions from HC Bhagwan Singh, has not disputed the factual position.

Without commenting anything further on merits of the case, considering the fact that the petitioner is in judicial custody since 07.03.2018; charges are yet to be framed and also in view of the fact the petitioner is first offender and is not involved in any other case under the NDPS Act, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

08.08.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No