

Sr. No.212

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

CRM No. M-26285 of 2017 (O&M)

Date of Decision: 30.04.2018

Jagbir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Veneet Sharma, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks regular bail pending trial in case FIR No. 76 dated 19.06.2014, under Sections 201, 120-B IPC and Section 21 of NDPS Act, registered at Police Station Sarai Amanat Khan, District Tarn Taran.

Counsel for the parties have been heard.

Briefly it may be noticed that FIR came to be registered against Balkar Singh and 06 other co-accused and as per prosecution version, 01 kg. heroin was allegedly recovered from Balkar Singh and who was apprehended on the spot. Other co-accused are stated to have fled away. One of the co-accused and who was not apprehended on the spot was Dharmender. The present petitioner is a police official and has been booked in the present case on the strength of Sections 201 and 120-B IPC and on the allegations that he has made an attempt to help out co-accused

Dharmender and who happens to be his cousin.

Counsel representing the petitioner contends that there are two inquiry reports in the present case one conducted by the SP Investigation and the other by SP Headquarters, Pathankot and in which conflicting findings have been recorded.

Present petitioner was arrested on 22.06.2017.

Court has further been apprised that one co-accused Devender Singh has absconded and as and when such co-accused surrenders or is arrested, de novo trial would commence.

Without making any observations on merits and keeping in view the length of incarceration already suffered, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

30.04.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No