

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

CRM-M-28145 of 2018

Date of Decision:-13.07.2018

Harjinder Singh @ Kala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Praneet Singh Grewal, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG Punjab.

RAMENDRA JAIN J.(Oral)

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to the petitioner in a case arising from FIR No.86 dated 21.10.2017, under Section 22/61/85 of NDPS Act, registered at Police Station Mulepur, District Fatehgarh Sahib, during pendency of the trial.

According to the prosecution, on 21.10.2017 when the police party was on patrolling and present at T-point link road, Village Badhochhi Khurd, at about 9.30 pm, petitioner was coming on a motor-cycle alongwith co-accused from the side of Village Kharoda. Both were apprehended and recovery of 20 Intoxicating Injections marked Buprenorphine Injection I.P (Omjesic) 2/2 ML and 20 bottles Injections marked Pheniramine Maleate

Injection I.P. (Kavil) 10/10 ML was effected from them, on the basis of which present FIR was lodged against them.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the present case and is behind bars since 21.10.2017. The conclusion of trial will take a long time. No useful purpose would be served by detaining the petitioner in jail.

On the other hand, learned State counsel, vehemently opposed prayer for grant of regular bail to the petitioner.

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

July 13, 2018
Vijay Asija

(**RAMENDRA JAIN**)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No