

S.No.207

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

CRM-M-30062 of 2018 (O&M)

Date of Decision:24.07.2018

Gurtej Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Raghav Goyal Chandiwalla,
Advocate for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.21 dated 15.05.2018 registered under Section 15 of NDPS Act at Police Station Lakhewali, Tehsil and District Sri Muktsar Sahib.

Learned counsel for the petitioner submits that the case against the petitioner is concocted one. He has not committed the offence as alleged against him. Counsel further submits that in any case alleged recovery from the petitioner is 5 Kg. of poppy husk which is a non-commercial quantity. The petitioner is in custody since 16.05.2018 and challan has already been filed in the case. He is not required for any investigation purposes.

Learned State Counsel, being instructed by ASI Chanchal Singh, has produced the custody certificate of the petitioner, which is taken on record. The same shows that the petitioner has remained in custody for past two months and seven days. There is no other case registered against him.

In view of the above, but without commenting upon the merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail pending trial on his furnishing bail bonds/ sureties to the satisfaction of the trial Court.

July 24, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No