

Crl. Misc. No. M-31124 of 2018

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-31124 of 2018

DATE OF DECISION:31.07.2018

Rupinder Singh @ Pillu

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. SS Sarwara, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to petitioner-Rupinder Singh @ Pillu in case FIR No. 124 dated 11.6.2017 registered under Section 22 of the NDPS Act at Police Station Mandi Gobindgarh, District Fatehgarh Sahib.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case, whereas, no offence is made out against him. He was not apprehended from the place of occurrence and no recovery of contraband was effected from him. Learned counsel further contends that the bail application filed by the petitioner before the lower Court was dismissed without saying anything on merits and without considering the facts and circumstances of the case. Learned counsel also

contends that recovery has already been effected and nothing is to be recovered from the petitioner. There is no other case pending against the petitioner and he is in custody since 2.7.2017. At the end, learned counsel for the petitioner contends that co-accused of the petitioner, namely, Satnam Singh who was apprehended from the spot and from whom the alleged recovery was effected has been released on regular bail by this Court vide order dated 28.3.2018.

Learned State counsel has not disputed the submissions made by learned counsel for the petitioner with regard to custody period as well as release of co-accused on regular bail.

Heard the arguments advanced by learned counsel for the parties and have also perused the contents of the FIR and other documents available on the file.

By considering the submissions made by learned counsel for the petitioner that the petitioner was not apprehended at the place of occurrence and no recovery was effected from him; co-accused, who was apprehended at the spot and from whom recovery has been effected, has already been released on regular bail vide order dated 28.3.2018; the petitioner is in custody since 2.7.2017 and there is no other case pending against him under NDPS Act, the present petition is allowed. Petitioner-Rupinder Singh @ Pillu is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

July 31, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No