

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

**CRM-M-34129-2018
Date of Decision:16.10.2018**

Baldev Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. S.S. Tiwana, Advocate
for the petitioner.

Mr. Luvinder Sofat, A.A.G. Punjab.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has sought for regular bail under the provision of Section 439 Cr.P.C in case FIR No.54 dated 22.05.2018 registered under Section 18/61/85 of NDPS Act at Police Station Khanauri, District Sangrur.

2. Learned counsel for the petitioner submitted that petitioner is in custody since 22.5.2018 and recovery of opium is non-commercial and challan has been filed on 13.8.2018. It was also submitted that petitioner is aged about 70 years.

3. Per contra, learned State counsel submitted that petitioner is involved in number of cases and he has been acquitted in three cases whereas in one case untraced report has been filed. Thus, petitioner is a habitual offender. Therefore, he is not entitled to regular bail.

4. Heard learned counsel for the parties.

5. Having regard to the fact that recovery is non-commercial; petitioner is in custody since 22.5.2018; challan has been filed; petitioner is aged about 70 years and trial of the case would take some time, petitioner-

Baldev Singh is ordered to be released on bail to the satisfaction of

concerned Chief Judicial Magistrate/Duty Magistrate.

6. However, the petitioner shall not in any way indulge in any criminal activities and he shall also not influence the witnesses or otherwise interfere with the fair trial.

7. Petition is allowed accordingly.

16.10.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**