

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

267

CRM-M No.33691 of 2017
Date of Decision: March 16th, 2018

Noor Deen

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Amjad Khan, Advocate
for the petitioner.

Mr. Kuldeep Singh, Senior Deputy Advocate General, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing the present petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.59 dated 01.06.2017, registered at Police Station Rawalpindi, District Kapurthala, under Sections 18/61/85 of NDPS Act, 1985.

It is the contention of learned counsel for the petitioner that the recovery which has been effected from the petitioner is 400 grams of opium. He was arrested on 01.06.2017, whereas petition for grant of regular bail of his co-accused Jaswinder Kumar i.e. CRM-M No.33918 of 2017, who was arrested along with him having 1.100 kilograms of opium, has been accepted by this Court on 29.09.2017. He on this basis prays for grant of similar benefit of bail.

Counsel for the State, on instructions from ASI Darshan Singh, Police Station Rawalpindi, District Kapurthala, could not dispute the assertions made by the counsel for the petitioner. He states that no witness has been examined till date, although the charges have been framed.

Having considered the submissions made by the counsel for the parties, keeping in view the fact that the co-accused of the petitioner, stands already granted the concession of regular bail with no witness having been examined and the trial not likely to conclude in the near future, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of the trial Court.

March 16th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No