

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

CRM-M No.34632 of 2018
DATE OF DECISION:25.09.2018

Basir

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Navneet Jindal, Advocate
for the petitioner.

Mr. Nishchal Mann, DAG, Haryana.

DAYA CHAUDHARY, J.(ORAL)

Through the present petition filed under Section 439 Cr. P.C., the petitioner seeks regular bail in case FIR No.182, dated 03.07.2017, registered under Sections 15/27-A/29/61/85 of NDPS Act, at Police Rania.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the case whereas neither he is owner nor driver of the truck. He was found to be sitting in the truck. Petitioner is in custody since 03.07.2017. No other case of NDPS Act is pending against him. As per statement of co-accused the petitioner was with them and he used to get 10,000/- for the job done by him. Learned counsel also submits that co-accused namely Gurnam Singh as well as Kulwant Singh have already been released on anticipatory bail. All witnesses are official witnesses and there is no possibility that petitioner may influence the witnesses or tamper with the evidence.

Learned State counsel has not disputed the custody period and

also the fact that co-accused has been released on anticipatory bail. It has also been admitted by learned State counsel that petitioner is neither owner nor driver of the truck. He was only sitting in the truck.

By considering the submissions made by learned counsel for the petitioner and the fact that the petitioner is in custody since 03.07.2017; that there is no other case of NDPS Act pending against him; all witnesses are official witnesses and there is no possibility that petitioner may influence the witnesses, the petition is allowed. The petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

25.09.2018
rimpal

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No