

CRM-M-33879-2017

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

CRM-M-33879-2017

Date of Decision: 01.02.2018

Balwinder Singh @ Bagga

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

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

Mr. Bhupender Beniwal, A.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to the order dated 16.01.2018, an affidavit of Sh. Ramandeep Singh Bhullar, PPS, Assistant Commissioner of Police (Gill-Rural), Ludhiana, has been filed in Court today by learned State counsel which is taken on record.

In paragraph 04 of the affidavit, it is stated that though initially on the basis of the fact that the petitioner had in fact had come to Chandigarh, at the time when the recovery was made from him, as was found even in the investigation, it had been recommended that he may not be arraigned as an accused in the report under Section 173 Cr.P.C; however, thereafter, upon legal opinion having been received, a decision was taken that a 'challan' may be filed against him also, with it to be left to the Court to decide.

That being so, without making any further comment on the actual merits of the case against the petitioner, or for him, as to whether he is otherwise involved in supplying or not supplying contraband drugs to the person from whom

they were stated to have been recovered, which would obviously be an issue to be gone into by the learned trial Court on the basis of evidence led before it, the petition is allowed.

The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

February 01, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No.