

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

**Criminal Misc. No. M-36833 of 2018
Date of decision: 27.11.2018**

Nachatar Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Sandeep Verma, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Nachatar Singh under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.45 dated 03.04.2017 registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station City Samana, District Patiala.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas he was not involved. Co-accused of the petitioner, namely, Harcharan Singh @ Charna has approached this Court by way of filing Criminal Misc. No. M-38168 of 2018 and he has been released on regular bail by this Court vide order dated 26.10.2018. The petitioner is in custody since 03.04.2017 and all the witnesses are official witnesses and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence.

Learned State counsel has not disputed the custody period as

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well as released of co-accused, Harcharan Singh @ Charna on regular bail. Learned State counsel has opposed grant of regular bail to the petitioner on the ground of huge recovered quantity.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

Without commenting anything on the merits of the case and keeping in view the submissions made by learned counsel for the petitioner that the petitioner is in custody since 03.04.2017; co-accused of the petitioner, namely, Harcharan Singh @ Charna has been released on regular bail by this Court; no other case of NDPS Act is pending against the petitioner; the trial may take long time to conclude; no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Nachatar Singh) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

27.11.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No