

CRM-M-37208-2018

Date of Decision: 04.09.2018

Tajinderpal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**Present:** Ms. Gurvir Kaur Gill, Advocate
for the petitioner.

Mr. J.S. Walia, Senior DAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks regular bail in FIR No.161 dated 29.09.2017 under Sections 21, 25 and 29 of the NDPS Act, 1985, Sections 25 of the Arms Act, 1959 and Sections 307, 332, 353, 186 of the IPC (added later on) registered at Police Station Sadar Patti, District Tarn Taran.

Learned counsel for the petitioner submits that the petitioner has been named in this case on the basis of disclosure statement of co-accused, Joginder Singh @ Shammi. The petitioner has been in custody since 10.12.2017 and the investigation in this case is complete. However, charge has not been framed now and thus, no useful purpose would be served by keeping the petitioner in custody for an indefinite period.

Learned counsel for the petitioner also relies upon the order dated 05.07.2018 passed by this Court in CRM-M No.24522 of 2018 titled as Harbhajan alias Bhajan versus State of Punjab (Annexure P-4).

Learned State counsel is not able to dispute the factual submissions made hereinabove. He, however, submits that a sum of

Rs.2 lakh was recovered from the petitioner and the petitioner is the first cousin of the main accused-Joginder Singh @ Shammi.

Custody certificate dated 03.09.2018 has been filed in Court and the same is taken on record.

According to the certificate, the petitioner has undergone the actual custody of 08 months and 19 days. There is no other case pending or decided against him.

Keeping in view the afore-mentioned facts and taking into account the fact that the present petitioner is identically placed as Harbhajan Singh @ Bhajan, the petition is allowed and the petitioner-Tajinderpal Singh is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

04.09.2018
Neha

Whether Speaking/Reportable : Yes/No

Whether Reportable : Yes/No