

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42009-2018

Date of Decision: 27.09.2018

Manpreet Singh @ Bhinda

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. R.S. Randhawa, Advocate
for the petitioner.
Mr. Luvinder Sofat, A.A.G. Punjab.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has sought for regular bail under the provision of Section 439 Cr.P.C in case FIR No.116 dated 13.06.2018 registered under Sections 21, 22 of NDPS Act, 1985 at Police Station City Rupnagar, District Rupnagar Punjab.

2. One of the contention raised by the learned counsel for the petitioner is that both complainant and investigating officer are one and the same person. Present case is squarely covered by the latest decision of the Supreme Court rendered in the case of *Mohan Lal v. The State of Punjab* (Criminal Appeal No.1880 of 2011 decision on 16.8.2018). Petitioner is in custody from 13.06.2018 and no useful purpose would be served by detaining the petitioner behind the bar.

3. On the other hand, learned State counsel has not disputed the above facts.

4. In view of the above facts and circumstances so also the fact that trial of the case would take some more time to conclude, petitioner-Manpreet Singh @ Bhinda is ordered to be released on bail to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

5. However, the petitioner shall not in any way indulge in any criminal activities and he shall also not influence the witnesses or otherwise interfere with the fair trial. In case, he violates the condition, the State is at liberty to get the order recalled.

6. Petition is allowed accordingly.

27.09.2018

rajeev

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No

(P.B. Bajanthri)

Judge