

CRM-M-42029-2018 (O & M)

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

CRM-M-42029-2018 (O & M)

Date of Decision: 10.10.2018

Narinder Singh @ Bath

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Surjit Singh Swaich, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

CRM-35391-2018

Allowed as prayed for, subject to all just exceptions.

Annexures P-1 and P-1/A are taken on record.

CRM-M-42029-2018

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.04 dated 04.08.2017, registered at Police Station STF, Phase-IV, S.A.S.Nagar, Mohali, under Sections 365, 384, 419, 465, 489, 120-B of IPC, Sections 21 and 29 of the NDPS Act, 1985, Sections 7, 13(2) and 8 of the PC Act, 1988 (Sections 419, 465, 489 of IPC and Sections 7, 13(2) and 8 of the PC Act, 1988 added later on).

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as

CRM-M-42029-2018 (O & M)

learned State counsel and gone through the record.

From the record, I find that in the present case, there is no recovery under the NDPS Act. As per the prosecution version, during the investigation of FIR No.3 of the said police station, the present petitioner was found in possession of 300 grams of heroin and the police officials of another district took money from him and let him free. There is allegation that the heroin has been distributed among them which was recovered. No recovery of any type has been effected from the present petitioner in this FIR and he has been nominated in view of investigation of another FIR.

Moreover, the petitioner has been in custody since 13.09.2017 i.e. for a period of more than one year. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

10.10.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No