

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

**Criminal Misc. No. M-42564 of 2018 (O&M)
Date of decision: 05.12.2018**

Gursharanjit Singh @ Billa

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Gursharanjit Singh @ Billa under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.16 dated 27.10.2014 registered under Sections 21/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station SSOC Amritsar.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, which is clear from the fact that three FIRs were registered against the petitioner under the NDPS Act within a period of five days. The petitioner has been acquitted of the charges by the trial Court in two cases. Learned counsel further submits that the petitioner is in custody for the last more than 3½ years as he was arrested on 22.10.2014 in FIR No.14 under Sections 21/25/29 of the NDPS Act and thereafter, another FIR No.15 was registered under the same sections. The third FIR is the present one. Learned counsel also submits that the

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petitioner has been implicated with ulterior motive. Out of total 13 prosecution witnesses, 11 witnesses have been examined still trial may take time to conclude as not only the remaining witnesses are to be examined but statements of defence witnesses are to be recorded.

Learned State counsel has not disputed the custody period as well as the fact that the petitioner has been acquitted in two FIRs.

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 including recovery memo.

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 13.04.2015; out of total 13 prosecution witnesses, 11 witnesses have been examined still trial may take time to conclude as not only the remaining witnesses are to be examined but statements of defence witnesses are to be recorded; no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Gursharanjit Singh @ Billa) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

05.12.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No