

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

CRM-M No.44063 of 2018

Date of decision : 12.10.2018

Jagtar Singh alias Taari

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Kuldeep V. Singh Ahluwalia, Advocate for the petitioner.
Mr. Rahul Mohan, DAG, Haryana.

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DAYA CHAUDHARY, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to petitioner Jagtar Singh alias Taari in case FIR No.49 dated 07.03.2014 under Sections 15/16/27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short – 'NDPS Act') registered at Police Station – Kalanwali, Distt. Sirsa, during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case, whereas he was not involved. He is not the registered owner of the vehicle which has been allegedly involved in the commission of the offence. Learned counsel also submits that the petitioner is in custody since 07.03.2014 and he is not involved in any other case of NDPS Act. There are total 25 total prosecution

witnesses and out of them 11 witnesses have been examined. Trial may take more time to conclude and no purpose would be served by keeping the petitioner in custody.

Learned State counsel has not disputed the period of custody undergone by the petitioner, however, he has opposed the submissions made by learned counsel for the petitioner on the ground that in the present case there is huge quantity of contraband and there was one more case against the petitioner under Sections 323/324 IPC in which he has been convicted and sentenced to pay fine, which has been paid.

Heard arguments of learned counsel for the petitioner 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 period of custody undergone by the petitioner *i.e.* more than 4 years and 7 months and also the fact that there is no other case of NDPS Act against him, present petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

12.10.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No