

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

**Criminal Misc. No. M-46494 of 2018
Date of decision: 29.10.2018**

Rasal Singh @ Muns

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. J.S. Dhaliwal, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab
for the respondent-State.

Daya Chaudhary, J.

Petitioner-Rasal Singh @ Muns has filed the present petition under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No. 72 dated 17.08.2017 registered under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Khalra District Tarn Taran during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas he was not apprehended while carrying any contraband. The alleged recovery has been planted upon the petitioner after his arrest. Learned counsel further submits that nothing was recovered from the petitioner. Co-accused of the petitioner, namely, Satnam Singh, Gurvinder Singh @ Sonu and Ranjit Singh @ Gora have been released on regular bail by this Court. The petitioner is in custody since 01.09.2017. Learned counsel also submits that the investigation has

been completed and challan has already been presented. All the witnesses

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are official witnesses and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence. No other case under NDPS Act is pending against the petitioner. The trial may take some time to conclude and no purpose would be served by keeping the petitioner in custody.

Learned State counsel has not disputed the custody period as well as release of co-accused on regular bail by this Court. It has also not been disputed by learned State counsel that the petitioner was not present at the place of occurrence but was arrested subsequently.

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.

Keeping in view the submissions made by learned counsel for the petitioner and by considering the parity with the co-accused, who have already been released on regular bail; the fact that the petitioner is in custody since 01.09.2017; no other case under NDPS Act is pending against him; the trial may take time to conclude; all the witnesses are official witnesses and there is no possibility that the petitioner may influence the witnesses; no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Rasal Singh @ Munsi) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

29.10.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

Yes