

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

CRM-M-45928-2017

Date of decision: - 04.05.2018

Balbir Ram and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kuldeep Singh, Advocate
for the petitioners.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No.190 dated 01.07.2017, registered under Section 15 of The Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act') at Police Station Samrala, District Ludhiana.

It is contended by learned counsel for the petitioners that the petitioners are in custody since 01.07.2017 and charges were framed

The above factual position is duly acknowledged by learned State counsel on instructions from ASI Jaswinder Singh.

Heard learned counsel for the parties and perused the paper-book.

As per allegations in the FIR, the petitioner No.1 Balbir Ram was sitting in the conductor's seat, whereas petitioner No.2 Gagandeep was sitting on rear seat and third accused-Kamaldeep was the driver of the truck and 52 K.G. poppy husk was recovered from two bags kept in the cabin of the said truck.

Undisputedly, there is no other criminal case pending against the petitioners.

In view of the fact that both the petitioners are in custody since 01.07.2017, charges were framed on 21.01.2018 and out of total ten witnesses, none has been examined till date and the trial is likely to take a long time to be concluded and thus, no useful purpose would be served by keeping the petitioners behind the bars any more.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, the present petition is accepted. Petitioners-Balbir Ram and Gagandeep be admitted to bail on their furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

(MAHABIR SINGH SINDHU)
JUDGE

May 04, 2018
naresh.k

Whether reportable?	Yes
Whether reasoned/speaking?	Yes