

S.No.216

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

CRM-M-48623 of 2018 (O&M)

Date of Decision:13.11.2018

Jasdev SinghPetitioner

Vs.

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Nirbhay Singh Shergill, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.475 dated 06.10.2018 registered under Sections 18 and 29 of NDPS Act, 1985 at Police Station Pehowa, District Kurukshetra.

Counsel for the petitioner contends that the petitioner is not even named in the FIR. His name has been sought to be involved in the case only on the basis of the alleged statements of the co-accused Gurnam Singh and Seena. It is further contended that even the co-accused mentioned above have been granted bail by the trial Court itself. There is no connecting evidence collected by the Police during the investigation which may connect the petitioner to the alleged crime. It is further submitted that there is no other case against the petitioner. He is in custody since 17.10.2018.

On the other hand, counsel for the State submits that the petitioner has been named by the co-accused as a supplier of the contraband,

therefore, he does not deserve concession of bail. However, it is not disputed that the co-accused from whom the recovery was effected has been granted bail or that there is no other case against the petitioner.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

November 13, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No