

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9468-2018
Date of decision: 13.03.2018

Soni Singh @ Soni Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. B.S. Jatana, Advocate
for the petitioner.

Mr. Abhay Pal Singh Gill, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.57 dated 13.05.2017 under Sections 22/61/85 of NDPS Act, registered at Police Station GRP Bathinda, District Bathinda.

Learned counsel for the petitioner submits that the petitioner was arrested on 13.05.2017 along with two other co-accused persons namely Satnam Singh and Darsham Kumar. It is further submitted that as per the allegations in the FIR, recovery from the petitioner is 25 bottles of ONEREX prepared by Wings Company vide batch No.OES1049 and 250 tablets of CARISOMA (25*10). Counsel for the petitioner further submits that the investigation is complete and challan has been presented but till date, no prosecution evidence has been recorded and conclusion of the trial will take long time. It is also submitted that the petitioner is not involved in any other case.

Learned counsel for the petitioner has further submitted that two other co-accused namely Satnam Singh and Darshan Kumar have already been granted the concession of regular bail vide common order dated 11.01.2018 passed in CRM-M-39794-2017 and CRM-M-41944-2017 and case of the petitioner is similarly situated.

Learned State counsel, on instructions from ASI Harpal Singh, has not disputed the factual position and has filed the custody certificate dated 13.03.2018, according to which, the petitioner is in judicial lockup for the last 09 months and is not involved in any other case.

Without commenting on merits of the case, considering the fact that co-accused of the petitioner have already been granted the concession of regular bail vide order dated 11.01.2018; investigation is complete, challan has been presented and no prosecution evidence has been recorded so far; the petitioner is in judicial for the last more than 08 months; he is not involved in any other case, this petition is allowed and the petitioner is directed to be released on bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

13.03.2018
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No