

CRM-M-1069-2019

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

**CRM-M-1069-2019 (O & M)
Date of Decision:03.07.2019**

Harjinder Singh @ Jinda

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vipin Mahajan, Advocate,
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

INDERJIT SINGH, J.

CRM-7265-2019

Allowed as prayed for, subject to all just exceptions.

Annexures P-5 and P-6 are taken on record.

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Petitioner has filed this second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in a case FIR No.08 dated 28.01.2016, registered at Police Station Ajnala, Amritsar Rural, under Sections 21 and 29 of the NDPS Act, 1985, Section 3 of the I.P.Act, Section 14 of the Foreigner Act, Section 25 of the Arms Act, 1959 and Section 511 of the Indian Penal Code.

Notice of motion was issued. Learned State counsel has appeared and contested the instant petition.

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I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that recovery under the NDPS Act, 1985 has been effected from the co-accused. Nothing has been recovered from the present petitioner.

Learned counsel for the petitioner has placed on record copies of statements given by the officials witnesses, including the Investigating Officer and recovery witness. All of them have stated that nothing has been recovered from the present petitioner and in no way, there is any evidence to connect the present petitioner with the recovery.

The petitioner is in custody since 23.04.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

03.07.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No