

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

CRM-M-5818 of 2019

Date of Decision: 19.10.2019

Balkar Singh

.....Petitioner

Vs.

The State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Parminder Singh Sekhon, Advocate,
for the petitioner.

Mr. B.S. Sewak, Addl. A.G. Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Though Mr. Sewak, learned Addl. A.G. Punjab, submits that the recovery from the petitioner being 1600 Microlit tablets (containing Diphenoxylate powder), which is well above commercial quantity, Mr. Sekhon, learned counsel for the petitioner, submits that, firstly, the petitioner has been in custody for the past one year with only three prosecution witnesses out of 13 having been examined, with no other criminal case having been registered against him, and further, that no gazetted officer was called despite the fact that a personal search was conducted though after the recovery was made (as per the investigating agency), from the motorcycle, with learned counsel also submitting that actually the entire recovery has been planted.

Without making any comment on the actual merits of the case for or against the petitioner, simply keeping in view the period of custody and the fact that no other criminal case is shown to have been registered against him, the petition is allowed and the petitioner is ordered to be released on bail on his

furnishing adequate bail and surety bonds to the satisfaction of the learned trial court.

October 19, 2019
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No.