

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6551-2019

Date of Decision: 27.03.2019

Gurlal Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Gurlal Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.137 dated 08.06.2017, registered at Police Station Chheharta, District Amritsar, under Sections 21/29/25 of the NDPS Act, 1985.

Notice of motion was issued.

Learned State counsel appeared and contested the instant petition.

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

Learned State counsel upon instructions from ASI Kanwardeep Singh submits that the allegations against the present petitioner are under Section 29 of the NDPS Act. No recovery has been effected from him. He has been nominated only on the basis of disclosure statement of co-accused that he was going to supply incriminating articles to the present petitioner.

At this stage, there is no other evidence of any type, except the disclosure

statement. Section 37 of the NDPS Act also does not bar the grant of bail for the offence under Section 29 of the NDPS Act.

The petitioner has been in custody since 03.12.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case may take long time. No useful purpose will be served by keeping him 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.

27.03.2019

Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No