

In the High Court of Punjab and Haryana at Chandigarh

261-2

CRM-M-10745-2019 (O & M)
Date of Decision: December 18, 2019

AVTAR SINGH ALIAS JAGGA

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sandeep Verma, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No. 35, dated 14.06.2018, under Sections 399 and 402 of the Indian Penal Code ('IPC' - for short); and Sections 25 of the Arms Act, 1959 (Section 22 of the NDPS Act added later on), registered at Police Station Smalsar, District Moga.

Learned counsel for the petitioner contends that it is alleged that the petitioner along with co-accused was preparing to commit dacoity. He further contends that only recovery of 315 grams of intoxicating powder containing alprazolam was effected from the petitioner. He also contends that although the recovery has been effected from the petitioner but compliance of Section 50 of the NDPS Act has not been made as the offer in terms of the NDPS Act was not afforded to the petitioner. The petitioner is in custody for over 01 year and 06 months. He is not involved in any other case.

Learned State counsel upon instructions from Sub Inspector Angrej Singh states that 02 out of 12 prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is in custody for over 01 year and 06 months, he is not involved in any other case and conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

December 18, 2019

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No