

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

CRM-M No.23093 of 2017 (O&M)
Date of decision : 25.01.2019

Nishan Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present: Mr. J.S.Thakur, Advocate for
 Mr. Amit Arora, Advocate
 for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.63 dated 11.05.2016 registered under Sections 392/302/506/148/149 IPC and Section 25/27 Arms Act at Police Station Bhikhiwind, District Tarn Taran.

Learned counsel for the petitioner states that only attribution to the petitioner is of lalkara and he has been in custody for more than 2 years and 8 months.

Custody certificate dated 25.01.2019 filed by way of affidavit of Vijay Kumar, PPS, Deputy Superintendent, Sub Jail, Patti on behalf of State is taken on record. Copy supplied to the counsel opposite. As per the custody certificate the petitioner has been in custody in this case for 2 years,

NDPS Act are against the petitioner but he is to be shown on bail in those cases therefore it can be reasonably presumed that these cases are of small recovery.

Learned Deputy Advocate General on instructions from Investigating Officer has accepted these factual assertions and states that he was part of the gang.

Be that as it may, keeping in view the above facts and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the trial Court/Duty Magistrate.

Ordered accordingly.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

25.01.2019

pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No