

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

207

**C.R.M-M No.26958 of 2018
Date of Decision : 14.01.2019**

Major Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Nandan Jindal, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G., 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 FIR No.130 dated 22.11.2017, registered under Sections 22, 61, 85 of the N.D.P.S. Act, at Police Station Chamkaur Sahib, District Rupnagar.

Reply filed by way of affidavit of Navreet Singh Virk, PPS, Deputy Superintendent of Police, Sri Chamkaur Sahib, District Rupnagar, Punjab on behalf of the respondent-State is taken on record. Copy has been supplied.

The primary ground taken by the counsel for the petitioner is that the petitioner has been in custody for the last more than 1 year and 2 months and the complainant and investigating officer are the same which is contrary to the judgment of the Supreme Court in the matter of ***Mohan Lal***

counsel, no other case is pending against the petitioner.

Learned Sr. Deputy Advocate General on instructions from ASI Dharampal has accepted these factual assertions but states that the whole family of the petitioner is involved in narcotics smuggling.

Be that as it may, in view of the settled position of law and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to grant regular bail to the petitioner. Ordered accordingly. Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands allowed.

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

(**AJAY TEWARI**)
JUDGE

January 14, 2019
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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No