

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-18381-2019

Date of Decision: 08.05.2019

Lakhwinder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Ajit Singh, Advocate for the petitioner.

Ms. Sudeepti Sharma, Addl. AG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner- Lakhwinder Singh, has prayed for grant of regular bail in case FIR No. 7 dated 09.01.2017 registered under Sections 18 and 25 of the NDPS Act at Police Station Sirhind, District Fatehgarh Sahib.

According to the prosecution, on 09.01.2017, 3.5 Kg of opium was recovered from a car bearing registration No. PB-03-AJ-6678, being driven by the petitioner along with his accomplice, namely; Ravinder Sigh @ Teenu and Baljit Singh @ Ballu.

Learned counsel *inter alia* contends that petitioner is in custody since, 09.01.2017 i.e. more than 2 years and 4 months. Conclusion of trial may take a long time. No useful purpose would be served by detaining them in jail. Nothing has to be recovered from him.

Co-accused of the petitioner, namely; Ravinder Sigh @ Teenu and Baljit

Singh @ Ballu, had already been enlarged on bail by this Court vide orders dated 19.11.2018 and 02.04.2019, passed in CRM-M-24838 and 61924-2018 (Annexures P-3 and P-4, respectively). Thus, treating the case of the petitioner on the same parity as that of his co-accused, he may also be released on regular bail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Lakhwinder Singh, is ordered to be released on bail pending trial, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

May 08, 2019
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(RAMENDRA JAIN)
JUDGE

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