

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-No. 23430 of 2019
Date of Decision: May 27, 2019

Rashpal Singh @ DhaulaPetitioner

versus

State of PunjabRespondent

CORAM: HON'BLE MR.JUSTICE RAMENDRA JAIN.

Present: - Mr. J.S. Dhaliwal, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab

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RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner-Rashpal Singh @ Dhaula, has prayed for grant of regular bail in case FIR No. 16 dated 26.02.2015 registered under Sections 21/22 of the NDPS Act, 1985 and 25 of the Arms Act, 1959 at Police Station Bhindi Sade, District Amritsar (Rural).

According to the prosecution, the petitioner alongwith two other accompish was apprehended with conscious possession of 290 grams heroin, without any permit of licence.

Learned counsel *inter alia* contends that petitioner is in custody since, 23.07.2015. Out of 23 witnesses, only three witnesses have been examined till date by the prosecution. Conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail. Nothing has to be recovered from him.

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- Rashpal Singh @ Dhaula,, is ordered to be released on bail pending trial, if not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

27.05.2019
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(RAMENDRA JAIN)
JUDGE

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