

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31494-2019

Date of decision-25.09.2019

Balihar Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Yashpal Thakur, Advocate for the petitioner.

Mr. Hittan Nehra, Addl.AG, Punjab assisted by
ASI Jit.

MANOJ BAJAJ, J.

Petitioner- Balihar Singh has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.78 dated 13.06.2018 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act at Police Station Bassi Pathana, District Fatehgarh Sahib. Petitioner is in custody since his arrest on 13.06.2018.

On 13.06.2018, when the police party was on patrol duty, a secret information was received that Balihar Singh (petitioner) does the work of selling intoxicants injections. If raid is conducted, then huge quantity of intoxicants can be recovered. Acting upon the same, ruqa was sent and 13 injections of buprenorphine were recovered from the petitioner.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that the alleged recovered contraband is marginally above the commercial quantity.

He further submits that there is no other case against the petitioner.

On the other hand, learned State counsel assisted by ASI Jit opposed the bail application, however, it is not disputed that the petitioner is not involved in any other case. He further states that out of total 10 prosecution witnesses, only one witness has been examined.

Considering the above background and the fact that the trial of the case is likely to consume considerable time, this Court does not find any valid reason to detain the petitioner any further in custody. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Fatehgarh Sahib.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

25.09.2019
vanita

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