

CRM-M-14666-2020

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

CRM-M-14666-2020
Date of Decision:25.06.2020

Gurlal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Naveen Sharma, Advocate,
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Case is being taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case FIR No.28 dated 10.02.2020, registered at Police Station Nathana, District Bathinda, under Sections 22 and 29 (added later) of the NDPS Act, 1985.

Learned counsel for the petitioner contends that two co-accused, namely, Akashdeep Singh and Sukhdeep Singh, were arrested at the spot and recovery of intoxicant tablets was effected from them. Vide DDR No.19 dated 27.02.2020, the petitioner has been nominated in the present case on the basis of disclosure statement suffered by co-accused.

On the other hand, learned State counsel opposes the prayer made in the present petition and submits that recovery effected from the co-accused falls in commercial quantity. The learned State counsel, on instruction from SI Harbans Singh, Police Station Nathana, submits that the

challan is yet to be presented.

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I have heard the learned counsel for the parties.

It is undisputed that the petitioner was not arrested from the spot and was indicted on the basis of disclosure statement made by the co-accused. He has been in custody for the last more than two months. Moreover, challan has not been presented by the police thus far and that the trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping him behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

25.06.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No