

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45746-2019 (O&M)
Date of decision: 02.07.2020

Gurdeep Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Sandhu, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.220 dated 26.07.2019 under Section 22 of NDPS Act, registered at Police Station Talwandi Sabo, District Bathinda.

Learned counsel for the petitioner submits that as per the FIR, the complainant and the Investigating Officer are the same person and it will be a debatable issue whether notice under Section 50 of NDPS Act was required to be given in the present case. It is further submitted that the petitioner is on bail in another case, which is for non-commercial quantity and he has a minor child and there is nobody to take care of him and his wife has left the matrimonial home. Learned counsel further submits that out of total 10 PWs, only 01 PW has been examined so far.

Learned State counsel has not disputed the factual position,

however, submits that it was a case of chance recovery and the petitioner is in custody since 26.07.2019.

Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

02.07.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No