

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

**Criminal Misc. No. M-27402 of 2015
Date of Decision: 18.09.2015**

Sandeep Kumar Markan

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Harsh Aggarwal, Advocate for the petitioner (s).

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 CrPC is for grant of regular bail to the petitioner in case FIR No.90 dated 6.8.2014 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station City Malerkotla, District Sangrur.

Learned counsel for the petitioner contends that the allegation against the petitioner is that he was found in conscious possession of 19 vials of Rexcof and he is in custody since 27.7.2015. In support of his contention, learned counsel relies upon orders of this Court in Criminal Misc. No.M-42099 of 2013 *Pardeep*

Singh v. State of Punjab decided on 26.5.2014, Criminal Misc. No.M-19820 of 2015 *Shivinder Walia v. State of Punjab* decided on 18.6.2015 and Criminal Misc. No.M-10868 of 2015 *Phaman Singh v. State of Punjab* decided on 23.7.2015.

In the case of *Pardeep Singh v. State of Punjab (supra)*, this Court has admitted the accused on bail, where recovery of 60 vials of Rexcof, 200 tablets of Carisol and 450 Tablets of Karisoma from a car was effected.

Learned State counsel has filed the custody of the petitioner and does not dispute the custody of the petitioner as well as the of grant of bail to accused referred in the aforesaid cases. He further submits that total 21 witnesses have been cited by the prosecution and 9 witnesses have been given up by the prosecution.

Considering the fact that the evidence of prosecution witnesses is yet to start, this Court feels that continued incarceration of the petitioner is unnecessary. Accordingly, the petitioner is ordered to be released on bail subject to the conditions that he shall not influence any of the witnesses and shall not leave the country. If he has any passport, he shall surrender the same before the trial Court. The petitioner would be further required to furnish an undertaking before the trial Court that he will not commit the similar offence for which he is facing prosecution and in case he is found to be involved in any such case, his bail order may be cancelled.

The trial Court is directed to release the petitioner on

regular bail subject to his furnishing bail bonds and two sureties to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Sangrur.

September 18, 2015
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(HARI PAL VERMA)
JUDGE