

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

CRM-M No. 37901 of 2014(O&M)

Date of Decision :22.01.2015

Mikal Kumar alias Kurda

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr.D.S.Kahlon, Advocate
for the petitioner.

Ms.Amarjit Kaur Khurana, Addl.AG, Punjab.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for pre-arrest bail filed in case bearing FIR No.52 dated 24.05.2014, under Sections 411, 414 IPC, read with Sections 15, 18, 20, 21,22 of the NDPS Act, Section 61 of the Punjab Excise Act and Section 25 of the Arms Act, registered at Police Station Sujanpur, Tehsil and District Pathankot.

On 17.11.2014 the following contention was noticed:-

“ Learned counsel relies upon the order passed in CRM-M-29985 of 2014 decided on 12.09.2014 to contend that in the case of same FIR bail was granted to the co-accused. He further argues that even from the petitioner no recovery was effected.”

Learned Addl.AG, on instructions from SI Chajju Ram, has accepted the fact that no recovery has been effected from the petitioner.

In the circumstances the petition is allowed.

In the event of his arrest, the petitioner shall be released on bail to the satisfaction of the investigating officer subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

January 22, 2015
sunita