

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-38105 of 2015
Date of Decision:-19.12.2015.

Rakesh Sadhu @ Tinku

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

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

Present: Mr. K.T.S. Tulsi, Senior Advocate with
Mr. R.T.P.S. Tulsi, Advocate,
Mr. Muber Boddh, Advocate and
Mr. Sunil K. Sahore, Advocate for the
petitioner.

Ms. Reeta Kohli, Additional A.G. Punjab with
Mr. Hanspal Virk, AAG, Punjab.

SURYA KANT, J. (ORAL)

1.) The petitioner seeks his enlargement on regular bail in case FIR No.69/2013 dated 16.4.2013 under Sections 22, 25-A, 27-A, 29, 61, 85 of the NDPS Act and Sections 420, 467, 468 and 471 IPC registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

2.) As per the allegations contained in the FIR, the Police patrolling party was present at the T-Point in the area of Village Dhupsadi Sadomajra when one Davinder Singh alias Happy was arrested and Ephedrine to the tune of 8 kilograms and 480 gram was recovered from him. Further investigation into the case led to disclosure of several names

including one Dev Raj @ Dev Bahl and the petitioner.

3.) The petitioner was arrested on 5.12.2013 and Pseudophedrine – an intoxicant powder used as a precursor to manufacture narcotic drugs weighing 20 kilograms is alleged to have been recovered from him. The petitioner's co-accused Dev Raj alias Dev Bahl has also been implicated in somewhat similar circumstances and 37 kilograms Pseudophedrine is said to have been recovered from him.

4.) It is not in dispute that Dev Raj alias Dev Bahl applied for bail in CRM-M-10657 of 2015 which has been allowed by us on 7.10.2015.

5.) Since the facts and circumstances of the instant case are similar to those of Dev Raj alias Dev Bahl and for the reasons assigned in the above cited order dated 7.10.2015, the instant petition is allowed; the petitioner is directed to be released on bail subject to his furnishing adequate bail/surety bonds to the entire satisfaction of the CJM/Duty Magistrate concerned where he is presently lodged.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

December 19, 2015.

sandeep sethi