

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-9388 of 2015

Date of Decision:-19.12.2015.

Rakesh Kumar and another

.....Petitioners

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. Sandeep Wadhawan and
Mr. Gautam Dutt, Advocates for the petitioners.

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

SURYA KANT, J. (ORAL)

1.) The petitioners seek their enlargement on regular bail in case FIR No.173 dated 18.9.2013 under Sections 22, 61, 85 of the NDPS Act read with Sections 18(C), 27-B(2), 27-D of the Drugs and Cosmetics Act, 1940, registered at Police Station Shambhu, District Patiala.

2.) Both the petitioners are Chemists and possess valid licences issued by the Licensing Authority-cum-Drugs Control Department, Delhi.

3.) They were arrested in the instant case on 2.10.2013. The petitioners have been involved on the allegations that the manufactured drug recovered from their possession contained the salt 'Dextropropoxyphene', the sale of which was banned by Government of India vide notification dated 23.5.2013.

4.) For the reasons assigned in **CRM-M-6226 of 2015** titled "**Kamal Rai Chawla Vs. The State of Punjab**" which has been allowed by a separate order of even date, the instant petition is also allowed and the petitioners are directed to be released on bail subject to their furnishing adequate bail/surety bonds to the entire satisfaction of the CJM/Duty Magistrate concerned where they are presently lodged.

**(SURYA KANT)
JUDGE**

**(P.B. BAJANTHRI)
JUDGE**

December 19, 2015.

sandeep sethi