

**210-8 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-15015-2015
Date of Decision : 06.04.2016

Rakesh Kumar @ KeshaPetitioner
versus

State of PunjabRespondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Vipul Jindal, Advocate
for the petitioner.

Mr. K.S. Nalwa, Addl.A.G, Punjab.

M.M.S. BEDI, JUDGE (ORAL)

The petitioner is alleged to have supplied 10 kg and 100 grams of heroin. He is alleged to be a part of the gang indulging in the supply and carriage of heroin. Vide order dated 22.07.2015, petitioner was released on interim bail by an order passed by Coordinate Bench of this Court. On the instructions of ASI Puran Singh, it has been informed that charges have been framed against the petitioner and the trial is fixed for evidence of the prosecution.

Taking into consideration the fact that no recovery was effected from the petitioner and the culpability of the petitioner regarding abetment of commission of offence under Section 21 of NDPS Act by his co-accused would be a debatable issue, to be established on the basis of the evidence to be produced in the Court, no ground is made out for cancellation of the interim relief granted to the petitioner.

Petition is allowed. It is ordered that petitioner will remain on bail against the bail bonds already furnished by him pursuant to the interim order passed by this Court, subject to the condition that he will not indulge in the similar activity for which he is already an accused.

(M.M.S. BEDI)
JUDGE

06.04.2016
Neha