

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

(212)

CRM-M-33853-2016

Decided on: October 24, 2016.

Sandeep Kumar

.... Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr. S.K. Chawla, Advocate, for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

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

Petitioner along with 4 other persons was allegedly traveling in a car and on being apprehended, 3 kgs of opium was recovered from the car. The FIR in the present case was registered on the basis of secret information. Petitioner had been named in the secret information.

The culpability of the petitioner along with others on the basis of joint possession of the opium, will be debatable at trial. The period of custody of the petitioner is more than two years. Three more witnesses are yet to be examined. The petitioner in such circumstances can be granted the concession of bail.

The petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that he will not commit similar offence of which he is accused of, during the entire period of trial. In case of any such eventuality, it will be open to the prosecution agency to seek cancellation of bail.

**(M.M.S. BEDI)
JUDGE**

October 24, 2016

harsha

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No