

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

CRM-M-42887 of 2016

Date of Decision: December 06, 2016

Pardeep @ Pawan Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Deepak K. Sharma, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

FATEH DEEP SINGH, J.

The allegations against the petitioner in this regular bail application under Section 439 Cr.P.C are that on 30.9.2016 he is alleged to have sold 50 bottles of Codeine Phosphate and Triprolidine Hydrochloride Syrup 100 ML ESKUF Cough Syrup and 800 intoxicant tablets of Chlordiazepoxide Tablets IP Edbron to his co-accused/non-applicant Madan Lal @ Maddi from whom the recovery is effected. Learned counsel for the petitioner contended that there is no evidence whatsoever to link the petitioner with the alleged offence and recovery of alleged contraband and it is only the statement of co-accused which is being sought to be projected against him.

The factual scenario is not disputed by the learned State

counsel, though, he has stoutly opposed the grant of bail on the ground of being commercial quantity.

Appreciating the submissions, the very legality, acceptability and admissibility of the statement of the co-accused being debatable issue and the absence of any other discernible evidence together with the fact that trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars impels this Court to allow the regular bail to the petitioner who is in custody since 01.10.2016. Petitioner be admitted to bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

December 06, 2016

aarti

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No