

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

(219)

CRM-M-43176-2015

Decided on: February 16, 2016.

Abhishek Kumar

.... Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr. Ritesh Pandey, Advocate, for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

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

Petitioner has been in custody w.e.f. 04.11.2014 in a case registered on the basis of secret information to the effect that the petitioner along with others has been habitual of receiving opium, smack and intoxicant powder for distributing the same at various places.

It appears that on the basis of secret information received on 04.11.2014, the FIR was registered on ruqqa having been sent to the police station. After sending ruqqa, the police party reached at the disclosed spot where on the basis of recovery of some weapons recovered from the petitioner and others, another FIR No.199 of 2014 was registered at Police Station Civil Lines, Batala on 04.11.2014 itself. The petitioner has been granted concession of bail in FIR No.199 of 2014.

Petitioner seeks concession of regular bail in FIR No.198 dated 04.11.2014 wherein no recovery of any weapon or any intoxicant substance has been effected from the petitioner.

The petitioner has been in custody w.e.f. 04.11.2014. Only two witnesses stand examined till date.

Taking into consideration the above said circumstances, the petitioner can be granted concession of bail.

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 in FIR No.198 dated 04.11.2014 under Sections 399, 402, 411, 414, 498-A, 120-B IPC, Sections 18, 21, 22-61-85 of the NDPS Act, Section 25 of the Arms Act and Sections 3, 34, 20 of the IP Act, registered at Police Station Civil Lines, Batala.

(M.M.S. BEDI)
JUDGE

February 16, 2016
harsha