

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

CRM-M-44377 of 2016

Date of Decision: December 16, 2016

Raj Kumar @ Raju

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Sukhvir Singh Sahu, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

FATEH DEEP SINGH, J. (ORAL)

The allegations against the petitioner-Raj Kumar @ Raju in this regular bail application under Section 439 Cr.P.C are that on 7.7.2016 from the possession of Jeet Singh co-accused as well as father of the petitioner narcotic and psychotropic drugs alleged to be recovered which were commercial in nature.

Learned counsel for the petitioner contends that the petitioner was neither apprehended at the spot nor any role is attributed to him in the commission of offence and the only semblance of evidence is statement of his co-accused.

The factual scenario is not disputed by the learned State counsel.

Keeping in view the period of incarceration and that the admissibility, legality and validity of the evidence as to the statement of co-accused is a debatable issue and that the trial is not likely to be concluded in

near future and no useful purpose would be served by keeping the petitioner behind the bars, without advertng anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

December 16, 2016

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No