

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

**CRM-M No.6150 of 2016 (O&M)
Date of Decision: 26.02.2016**

Pawan Kumar @ Sethi

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. G.S.Sidhu, Advocate for the petitioner.

Mr. Satish Saini, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Sudhir Kumar.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Pawan Kumar @ Sethi in case FIR No.210 dated 08.06.2015, under Sections 21/22/27-A/61/85 of the Narcotic Drugs and Psychotropic Substances Act, registered with Police Station Dabwali Sadar, District Sirsa.

The complainant-ASI Sudhir Kumar on 08.06.2015 apprehended non-applicant/co-accused Ramesh Kumar in possession of 83 vials of Rexcof-cough syrup, on whose disclosure statement that he had purchased the same from the present petitioner-Pawan Kumar @ Sethi, the petitioner has been nominated as an accused.

Learned Counsel for the petitioner submits that except the disclosure statement of said co-accused Ramesh Kumar, there is no other incriminating material available with the prosecution against the petitioner, which otherwise is inadmissible against the present petitioner. He further states that the petitioner is in custody since 13.08.2015 and the challan stands

presented and there are 12 cited prosecution witnesses, which are yet to be examined. Petitioner is stated to be not involved in any other criminal case.

Learned State Counsel, assisted by ASI Sudhir Kumar, is unable to refute the aforesaid factual situation.

Without commenting on the merits of the case, keeping in view the custody period and the fact that trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

February 26, 2016

Gagan

**(JASWANT SINGH)
JUDGE**