

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

Criminal Misc. No. M-6188 of 2016

Date of Decision:-03.08.2016

Pardeep Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Kulbir Singh Sekhon, Advocate
for the petitioner.

Mr. A.S. Kler, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in this second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner Pardeep Kumar in case FIR No.182 dated 17.10.2014, under Section 22 of the NDPS Act, registered at Police Station Bahav Wala, District Fazilka.

Learned counsel for the petitioner contends that the allegation against the petitioner is that he was found in his possession 30 bottles of Rexcof and 200 tablets of Carimol. The petitioner is in custody since 17.10.2014 and there is no other case against the petitioner. Learned counsel for the petitioner refers to the order dated 10.12.2015 passed in CRM-M No.38662 of 2015 titled 'Vishal Kumar @ Vishu vs. State of Punjab', wherein on the similar set of allegations, the petitioner was

admitted on bail by this Court.

Learned State counsel on instructions from HC Balwinder Singh submits that the trial in this case is continuing and as against the total eight witnesses cited by the prosecution, three witnesses have been examined.

I have heard learned counsel for the parties.

The petitioner is stated to be in custody since 17.10.2014. The trial will take some more time for conclusion. Therefore, taking into consideration the order passed by this Court in CRM-M-38662 of 2015, abovementioned, the petitioner is ordered to be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of the trial Court.

It is made clear that any expression made herein above shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case on the basis of available evidence and the aforesaid observation is only for the limited purpose of deciding the present bail application.

August 03, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No