

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

CRM-M-2311 of 2017 (O&M)

Date of decision: 31.01.2017

Amandeep Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Kartik Gupta, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 22 dated 28.02.2015, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station Chabbewal, District Hoshiarpur.

It is contended that the petitioner is neither the owner nor the driver of the vehicle. The recovery was not effected from the conscious possession of the petitioner. The similarly situated co-accused, Ravinder Singh @ Ravi and Tajinder Singh have been granted the concession of regular bail by this Court. The petitioner is in custody since 28.02.2015

On the other hand, learned State counsel opposes the bail

application.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the recovery was not effected from the conscious possession of the petitioner. The petitioner was one of the occupants of the vehicle from which the alleged recovery was effected. He is neither the owner nor the driver of the vehicle. Moreover, co-accused, Ravinder Singh @ Ravi and Tajinder Singh have been admitted to bail; the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on her furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

31.01.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No