

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

CRL. MISC. No.M-23699 OF 2017
DATE OF DECISION : 18th JULY, 2017

Akesh Yadav

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Sandeep Verma, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab.

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A. B. CHAUDHARI, J. (ORAL)

This is petition under Section 439 Cr. P.C. for seeking regular bail in FIR No.32 dated 19.04.2016, under Sections 18/61/85 of the Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act'), registered at Police Station Sadar Rajpura, District Patiala. Petitioner was arrested and is in jail.

Heard learned counsel for the rival parties.

Learned State counsel on instructions submits that I.O. has been examined before the trial court and also the evidence have been recorded. He further submits that there is no other case against the petitioner under the NDPS Act and 3 kg of opium was found with 3 persons.

In my opinion, looking to the fact that there is no other case against the petitioner and since the petitioner has been in jail for over a period of about one year and three months, it would be appropriate to release him on bail.

In that view of the matter, this petition is allowed. Petitioner is ordered to be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

18TH JULY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

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