

210(2)
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 28.11.2017

(1) CRM-M-23764-2017 (O&M)

Satish KumarPetitioner

Versus

State of PunjabRespondent

(2) CRM-M-26787-2017 (O&M)

Mohammad AsifPetitioner

Versus

State of PunjabRespondent.

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

Present: Mr. F.S. Virk, Advocate for the petitioners.

Mr. Ramandeep Sandhu, DAG, Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In both the above said petitions, petitioners namely *Satish Kumar* (in CRM-M-23764-2017) and *Mohammad Asif* (in CRM-M-26787-2017) seek grant of regular bail in case FIR No. 72 dated 25.8.2016 under Sections 20/61/1985 of NDPS Act, registered at Police Station Sadar Rajpura, District Patiala.

Learned counsel for the petitioners submits that both the petitioners are resident of a District in U.P. and were arrested on 25.8.2016. He further submits that petitioners have undergone almost more than one year in jail.

On the other hand, learned State counsel submits that only one witness has been examined in this case. He further, on instructions from ASI Gurvinder Singh, submits that there is no similar case pending against petitioners either in UP or in Punjab.

In my opinion, the period already undergone by the petitioners is sufficient and in the absence of any other case, no purpose would be served in keeping them to custody and trial will take long time in conclusion.

Learned counsel for the petitioners have made a categorical statement before the Court that both the petitioners shall furnish local surety to the satisfaction of the trial Court.

In that view of the matter, this petition is allowed. Both the petitioners namely **Satish Kumar** and **Mohammad Asif** shall be released on regular bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

Petitioners shall file an undertaking before the trial Court that they will not indulge in similar or any other kind of offence in future. Petitioners shall deposit his passport(s), if possesses, with the trial Court. Petitioners shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

A photocopy of this order be placed on the connected file.

(A.B. CHAUDHARI)
JUDGE

28.11.2017
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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No