

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-32893-2017

Date of decision: 11.09.2017

Surinder Kumar @ Monu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Arjun Atri, Advocate for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., the petitioner has prayed for grant of regular bail in case FIR No. 92 dated 27.04.2017 registered under Section 22 of the Narcotic Drugs and Psychotropic Substance Act (for short-'the Act') (Section 29 of the Act added later on) at Police Station Civil Lines Patiala, District Patiala.

2. Learned counsel for the petitioner contends that the petitioner was not apprehended at the spot. He has been falsely implicated on the basis of some call details in between the petitioner and his co-accused, namely; Sukhwinder Singh @ Sukhi. There is no conversation on the record proving the guilt of the accused in the alleged commission of crime. The petitioner is the resident of Delhi.

3. On the other hand, learned State counsel as on today is not able to connect the co-accused with the petitioner on the basis of alleged conversation in between them, raising any finger towards him.

4. In view of the totality of the facts and circumstances, but without expressing any opinion on the merits of the case and also the fact that the trial is likely to take time, the instant petition is allowed and the petitioner-Surinder Kumar @ Monu is ordered to be released on regular bail during trial, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the Judge, Special Court/Duty Magistrate, Patiala.

September 11, 2017
rishu

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**