

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

CRM-M No.11088 of 2018

Date of Decision: 14.08.2018

Sandeep Kumar

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

Ms. Rashmi Attri, A.A.G., Punjab.

DAYA CHAUDHARY, J. (ORAL)

The present petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.91 dated 02.05.2017 registered under Sections 22/61/85 of the NDPS Act at Police Station Lambi, District Sri Muktsar Sahib.

Learned counsel for the petitioner submits that the petitioner has been shown to have been arrested from the place of occurrence having 22 intoxicating injections marked 'BUPRENORPHINE' each containing weight 2 ML. Learned counsel also submits that the recovery was effected from thoroughfare but no independent witness was joined by the police party. He further submits that the petitioner is in custody since 02.05.2017 and recovery has already been effected. All witnesses are the official witnesses and there is no possibility that the petitioner may tamper with the evidence or influence the witnesses. No other case under the NDPS Act is pending against the petitioner.

Learned State counsel has not disputed the custody period as well as recovery and also the fact that only one witness has been examined.

Keeping in view the custody period; stage of trial and also the fact that no other case under the NDPS Act is pending against the petitioner, the present petition is allowed and petitioner, namely, Sandeep Kumar is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

14.08.2018
gurpreet

(DAYA CHAUDHARY)
JUDGE

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