

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19144-2018

Date of decision: 27.07.2018

Niraj Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. M.S. Saini, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.02 dated 02.01.2018 under Sections 22/61/85 of NDPS Act, registered at Police Station Garhshankar, District Hoshiarpur.

Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner was driving the motorcycle and co-accused Gurpreet Singh @ Gurpreet was a pillion rider, when the police stopped them, conducted the search and recovered 11 injections of Buprenorphine-2/2 ml, batch No.LM 17151 and 11 injections of Avil 10/10 ml, batch No.2117022 from the petitioner. Counsel for the petitioner further submits that the petitioner is in judicial custody since 02.01.2018 and is not involved in any other case. It is further submitted that co-accused of the petitioner namely Gurpreet Singh @ Gurpreet has been granted the concession of interim bail vide order dated

27.03.2018 passed in CRM-M-11844-2018. It is also submitted that now on receiving the FSL report, challan has been presented, charges have been framed and it will take long time in conclusion of the trial.

Learned State counsel, on instructions from ASI Desraj, has not disputed the factual position as well as the fact that co-accused of the petitioner has already been granted the concession of interim bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is in judicial custody since 02.01.2018; he is not involved in any other case; challan has already been presented and the trial is yet to start; no prosecution evidence has been recorded till date and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

27.07.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No