

CRM-M-23503-2018 (O&M)

Date of decision:05.07.2018

Anil Mandal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Divjyot S. Sandhu, Advocate for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition is for grant of bail pending trial to the petitioner in case FIR No. 104 dated 29.12.2017 under Sections 21/61/85 of the NDPS Act, registered at Police Station Dhilwan, District Kapurthala.

Learned counsel for the petitioner submits that neither the petitioner is named in the FIR nor any recovery has been effected from him. He further submits that the petitioner has been involved only on the disclosure statement of the co-accused to the effect that the said co-accused had, at one point of time, stayed with the petitioner. It is further submitted that the petitioner is in custody since 02.01.2018 and even his co-accused; from whom the recovery was effected, has been released on interim bail vide order dated 02.05.2018 passed in CRM-M-17588-2018, awaiting the report of the Chemical Analysis.

Counsel for the State, on instructions from ASI Kewal Singh, submits that now report of the Chemical Analysis has come and it has been found to be commercial quantity of heroin. However, on a specific query from the Court, State counsel has submitted that there is no other case against the petitioner.

In view of the above submissions made by learned counsel for the petitioner, without expressing on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

05.07.2018
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No