

209

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

**CRM-M-24092-2018(O&M)
Date of Decision: 10.10.2018**

Neeraj Kumar @ Rishu**...Petitioner**

Versus

State of Punjab**....Respondent****CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present: - Mr. Manvinder Singh Sidhu, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner- Neeraj Kumar @ Rishu, has prayed for grant of regular bail in case FIR No. 160 dated 14.11.2017 (Annexure P-1) under Sections 22/61/85 of the NDPS, at Police Station Sirhind, District Fatehgarh Sahib.

According to prosecution, petitioner was apprehended with 11 injections of Buprenorphine which he was possessing without any permit/license.

Learned counsel for the petitioner, *inter alia*, contends that the petitioner is in custody since 14.11.2017. During this period, he was released on interim bail for about three weeks and the same was further extended for a period of one month. As on date, out of 10 witnesses cited by the prosecution, none has been examined. He

has falsely been implicated in the FIR. The alleged recovery from the petitioner is of non-commercial quantity. Conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail. Thus, the petitioner may be granted the concession of regular bail.

On the other hand, learned State counsel vehemently opposed the above submission of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Neeraj Kumar @ Rishu, is ordered to be released on bail, pending trial, on his furnishing adequate bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

10th October, 2018

shabha

[RAMENDRA JAIN]

JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>