

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-39007-2018 (O&M)
Date of Decision:-13.09.2018.

Mohit Kumar @ Khanda

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Harchand Singh Batth, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

P.B. BAJANTHRI, J. (Oral)

In the instant petition under the provisions of Section 439 Cr.P.C, petitioner has sought for regular bail in case FIR No.97 dated 07.07.2018, under Sections 399/402 IPC and Sections 22/29 of the NDPS Act, registered at Police Station Bhikhiwind, District Tarn Taran.

2.) Learned counsel for the petitioner pointed out from the FIR that role of the petitioner in the alleged offence is only recovery of *datar*. The aforesaid factual aspect has not been disputed by the learned State counsel. Allegation against the petitioner is only preparation for dacoity.

3.) Heard.

4.) Since no recovery of intoxicant is from the petitioner and what has been recovered is only a *datar* weapon, petitioner is entitled to the

benefit of regular bail, therefore, without expressing any opinion on the

merits of the case, present petition is allowed. Petitioner-Mohit Kumar @ Khanda is ordered to be released on bail on his furnishing bail/surety bonds to the entire satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned with the following condition:-

- (i) Petitioner shall not in any way indulge in any criminal activities and he shall not influence the witnesses or otherwise interfere with the fair trial.

(P.B. BAJANTHRI)
JUDGE

September 13, 2018.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.