

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

Decided on: 11.01.2018

1. CRM-M No.39794 of 2017

Satnam Singh

....Petitioner

Versus

State of Punjab

....Respondent

2. CRM-M No.41944 of 2017

Darshan Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Deepak Gupta, Advocate
for the petitioner (in CRM-M No.39794 of 2017)

Mr. Karan Garg, Advocate
for the petitioner (in CRM-M No.41944 of 2017)

Mr. Abhaypal Singh Gill, AAG, Punjab.
(in both the petitions)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners namely Satnam Singh and Darshan Kumar pray for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.57 dated 13.05.2017, for offence punishable under Section 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act (in short 'NDPS Act') registered at Police Station GRP Bathinda, District Bathinda.

Counsel for the petitioners have submitted that the petitioners were arrested on 13.05.2017 and as per the FIR, recovery of 18 bottles of intoxicating syrup of Wings Company, 06 bottles of

Rexcof of PURECA Company and 500 tablets of Carisoma was effected from the petitioner – Satnam Singh whereas 25 bottles of ONREX of Wings Company and 250 tablets of Carisoma were recovered from the petitioner – Darshan Kumar. It is further submitted that investigation has been completed, challan has also been presented in the trial Court, however, no prosecution witness has yet been examined and conclusion of the trial will take long time.

Counsel for the petitioners have further argued that both the petitioners are not involved in any other case. Counsel for the petitioners have relied upon the order dated 10.12.2015 passed by the Co-ordinate Bench of this Court in **CRM-M No.38662 of 2015, “Vishal Kumar @ Vishu vs State of Punjab”**, wherein while relying upon another order dated 26.05.2014 passed in CRM-M No.42099 of 2013, the petitioners were granted bail, where recovery of 60 vials of Rexcof, 200 tablets of Carisol and 450 tablets of Carisoma was effected, after considering their custody.

Counsel for the State, on instructions from ASI Saudagar Singh, has not disputed the factual position and submits that the petitioners are not involved in any other case.

After hearing the counsel for the parties and taking into consideration the orders passed by Co-ordinate Bench of this Court in **Vishal Kumar @ Vishu's case (supra)** and the fact that the petitioners are not involved in any other case, the present petitions are allowed and the petitioners are ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate. However, it will be open for the

prosecution to apply for cancellation of bail, if the petitioners are found involved misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

11.01.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No