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

**CRM-M-42981-2017
Date of Decision: 19.02.2018**

Vikram Kumar @ Bunty

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. D.S. Gandhi, Advocate,
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

SUDIP AHLUWALIA J. (ORAL)

This is a petition for regular bail under Section 439 Cr.P.C. on behalf of the petitioner, who was arrested on 23.02.2016 in case FIR No.115 dated 19.08.2015, under Sections 307/34 of the Indian Penal Code (in short 'IPC'); Sections 25/54/59 of the Arms Act; and Sections 21/22/61/85 of the Narcotics Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS Act') registered at Police Station Gate Hakiman, District Amritsar.

[2]. It has been highlighted on behalf of the petitioner that neither he was arrested at the spot nor was identified at the relevant time.

[3]. On the other hand contention raised on behalf of the State is that implicating material against the petitioner exists by virtue of the statement made against him by a co-accused. It is also submitted that the petitioner is involved in several other cases list of which has been mentioned in the custody certificate perused. It transpires that the petitioner is in custody in FIR No.86 dated 18.05.2015 in which case offences are

under Sections 382/34 of the IPC along with certain other offences under the NDPS Act. Thereafter, he is also shown to be involved in FIR No.195/2014 under Sections 22/61/85 of the NDPS Act, but he was acquitted in the said case.

[4]. It further transpires that the prosecution evidence has not yet started in the present case even though the petitioner has languished in custody for almost two years, and while he is a convict in certain cases, but none of those are under NDPS Act.

[5]. In the circumstances, considering the long detention undergone by the petitioner, he may at this stage be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

19.02.2018

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No