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

**CRM-M No. 47345 of 2018 (O&M)
Date of Decision:.31.10.2018**

Raj Kumar @ Raju

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Arti Kaur, Advocate for the petitioner.
Mr. Ramandeep Sandhu, Sr.DAG, Punjab.

MAHABIR SINGH SINDHU, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.91 dated 30.05.2018, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Nawanshahar, District SBS Nagar.

It is contended by learned Counsel for the petitioner that the petitioner is in custody since 31.05.2018 and report under Section 173 Cr.P.C has already been presented. It is also the contention that recovery is of non commercial quantity and no other case is pending against the petitioner.

Custody certificate of the petitioner produced by learned State counsel in Court today is taken on record, a perusal of the same reveals that there is no other case pending against him. Admittedly, the recovery is non

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commercial and petitioner is in custody since 31.05.2018, charges have already been framed by the trial Court and now the case is pending for trial.

Learned State counsel, on instructions from ASI Suresh Kumar, stated that there are total nine prosecution witnesses but none has been examined till date.

Since the trial will take long time to be concluded finally, therefore, no useful purpose would be served by keeping the petitioner behind the bars. Consequently, it would be just and appropriate if the concession of bail is granted to the petitioner. Therefore, this petition is accepted and petitioner-Raj Kumar @ Raju is ordered to be released on bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court / Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on merits of case.

31.10.2018

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>