

CRM-M-51947-2018

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

CRM-M-51947-2018

Date of Decision:14.12.2018

Sushil Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rajesh Khandelwal, Advocate for
Mr. Ankur Sidhar, Advocate,
for the petitioner.

Mr. N.K.Banka, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.04 dated 04.08.2017, registered at Police Station STF, Phase-IV, S.A.S.Nagar, Mohali, under Sections 365, 384, 419, 489 and 120-B of IPC, Sections 21 and 29 of the NDPS Act, 1985, Sections 7, 13(2) and 8 of the PC Act, 1988 (Section 465 of IPC added and deleted later on).

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that as per the FIR, Sub Inspector Sushil Kumar (present petitioner) and some other police officials had impersonated themselves as members of STF, Fazilka and they arrested

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one Narinder Singh from whom 300 grams of heroin was recovered. He was let off by the police after taking ₹8 lakhs. The heroin has been distributed among the police officials.

As per the prosecution version, ₹73,000/- and heroin weighing 100 grams have been recovered from the present petitioner. Co-accused have already been granted bail by this Court. The petitioner has been in custody since 04.08.2017. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

14.12.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No