

Sr. No.229

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

CRM No. M-6433 of 2018 (O&M)

Date of Decision: 23.02.2018

Pawan Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. L.S.Sekhon, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.303 dated 13.11.2017, under Sections 22/61/85 of NDPS Act, registered at Police Station Raman, District Bathinda.

Counsel for the petitioner has been heard.

As per prosecution version, present petitioner was pillion rider and is alleged to have thrown away a polythene bag which was hedged between the driver of the motorcycle i.e. co-accused Sukhpal Singh and the present petitioner. From the bag an alleged recovery of 31 vials of Relaxcof (100 ml. each) and 320 tablet of Carisoma is stated to have been effected.

It is the contention of the counsel representing the petitioner that the alleged recovery would not be construed to have been effected from the conscious possession of the petitioner

but was recovered from a polythene bag thrown on the side of the road.

Petitioner is not stated to be involved in any other case under the NDPS Act.

Investigation in the case is complete and challan has been presented.

Co-accused Sukhpal Singh has been granted benefit of regular bail by this Court in the light of order dated 08.02.2018 in CRM No.M-4469 of 2018.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Bathinda.

Disposed of.

23.02.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No