

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-6457-2019

Date of Decision: 15.02.2019

Babbal Kumar @ Sahil and another

.... Petitioners

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Prashant Vashisth, Advocate for the petitioners.

Mr. AS Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioners-Babbal Kumar @ Sahil and Chetan Kumar @ Sunny @ Lambu, have prayed for grant of regular bail in case FIR No. 156 dated 08.10.2018 registered under Sections 22 and 29 of the NDPS Act at Police Station Bhargo Camp, Jalandhar-City.

According to the prosecution, Rupa Rani, co-accused of the petitioners was apprehended with 4752 intoxicant capsules. On her interrogation, she disclosed the names of the petitioners as her accomplice.

Learned counsel for the petitioners *inter alia* contends that petitioners have falsely been implicated in the instant case on the alleged disclosure statement of co-accused-Rupa Rani, which is a very weak type of evidence. The petitioners have not been booked in any other case,

except the present one. They are in custody since 09.10.2018. Conclusion of trial may take long time. No useful purpose would be served by detaining them in jail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioners.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioners-Babbal Kumar @ Sahil and Chetan Kumar @ Sunny @ Lambu, are ordered to be released on bail pending trial, on their furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

February 15, 2019
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No