

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

CRM-M-10754 of 2019
Date of Decision: 14.03.2019

Shanty Kumar

....Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Arunjeet Singh Kakkar, Advocate
for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 439 Cr.P.C. seeking bail pending trial in case FIR No.153 dated 08.10.2018, under Sections 304, 201 and 34 of the Indian Penal Code and Sections 21/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Bathinda, District Bathinda.

Learned counsel for the petitioner contends that the petitioner is in custody since 10.10.2018. Further contends that the co-accused, namely, Gurpreet Singh, has already been granted bail by this Court vide order dated 25.01.2019 passed in CRM-M-56214 of 2018. Also contends that the report under Section 173 Cr.P.C. was submitted on 06.12.2018 and there are total 22 PW's only 3 have been examined till date.

On instructions from ASI Jasvir Singh, learned State counsel has acknowledged the above factual position.

Keeping in view of the fact that the co-accused of the petitioner, namely, Gurpreet Singh has already been granted the concession of regular bail, the petitioner who is in custody since 10.10.2018 also deserves the concession of regular bail. Even the report under Section 173 Cr.P.C. has been submitted before the Court of Competent Jurisdiction, thus the trial is likely to take a long time to be concluded. Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Shanty Kumar be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

March 14, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no