

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13606-2019

Date of Decision: 02.04.2019

Rajesh Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Rajesh Kumar has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.64 dated 05.07.2018, registered at Police Station Kalanaur, District Gurdaspur, under Sections 22 and 29 of the NDPS Act, 1985.

Notice of motion has been issued.

Learned State counsel 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.

As per the prosecution version, the alleged recovery of intoxicant tablets etc. have been recovered from the co-accused. The allegation against the present petitioner is that he had supplied it to the co-accused. It has been brought to the notice of this Court that the present petitioner has been charge-sheeted under Section 29 of the NDPS Act. No recovery has been effected from him. Section 37 of the NDPS Act does not cover the offence under Section 29 of the NDPS Act.

The petitioner has been in custody since 03.01.2019. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case may take long time. No useful purpose will be served by keeping him 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 ₹40,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

02.04.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No