

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

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**CRM-M No.16132 of 2019.
Date of Decision: 12.04.2019.**

Rakesh Kumar alias Raghu

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

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

Mr. Rajat Bansal, Assistant Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in case F.I.R. No.1 dated 12.02.2019 under Sections 15/18/21/25/29 of the Narcotics Drugs and Psychotropic Substances Act, 1985, registered at Police Station SSOC, District Amritsar.

Learned counsel representing the petitioner contended that the petitioner has been falsely implicated in the case and he is in custody since 15.02.2019. He is not involved in any other criminal case. Trial of the case still to take some more time, no useful purpose would be served by detaining the petitioner behind the bar, so he be released on bail.

Custody certificate filed by learned State counsel is taken on record.

Learned State counsel opposed the prayer for bail on the ground that the petitioner was found to be in possession of a pistol with magazine and four live cartridges and is involved in smuggling of arms and ammunition. However, on the basis of custody certificate, he affirmed the fact that the petitioner is not involved in any other case of similar nature.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to the case of either of the parties, but taking into consideration the fact that the petitioner is in custody since 15.02.2019 and is not involved in any other criminal case; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. Petitioner-Rakesh Kumar alias Raghu is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

12.04.2019
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No