

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

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CRM-M-16417-2019

Date of decision : 18.10.2019

Sonu Kumar

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Parminder Singh Sekhon, Advocate for the petitioner.

Mr. K.K. Bheniwala, Addl. A.G., Punjab

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.175, dated 16.09.2018, under Sections 22 and 60 of the NDPS Act, registered at Police Station Sardulgarh, District Mansa.

Learned counsel for the petitioner contends that the allegations in the FIR are that the petitioner was travelling in a car and the recovery of 70 vials of Qurex (Codine Phosphate) and 1900 tablets of Carisoma was effected from the boxes kept on the back seat of the car. He also contends that Carisoma does not fall under the NDPS Act. The petitioner is neither the owner nor the driver of the car. Co-accused, namely, Yogesh Kumar, who was driving the car, is also the owner of the car. The petitioner is in custody for over a year and is not involved in any other case under the NDPS Act. He also contends that the first informant, namely, ASI Angrej Singh, had himself conducted the investigation which had caused prejudice to the petitioner.

Learned State counsel contends that 03 out of 12 prosecution witnesses have been examined.

Heard.

In view of the submissions of the learned counsel for the petitioner especially when the petitioner is in custody for over a year, he is not involved in any other case under the NDPS Act and the conclusion of the trial is likely to take sometime, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

October 18, 2019

sonia gugnani

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