

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

212

CRM-M-21136-2019

Date of decision :25.07.2019

Rajiv Kumar @ Neela

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. H.S.Brar, Advocate
for the petitioner

Ms.Rajni Gupta, Senior DAG Punjab

ANIL KSHETARPAL, J. (ORAL):

Petitioner prays for grant of regular bail in FIR No. 0141 dated 06.07.2017 under Sections 15/61/85 of the NDPS Act, 1985, registered at Police Station Sahnewal, District Ludhiana.

Learned counsel for the petitioner submits that petitioner was not caught at the spot and allegations of the prosecution are that the petitioner had run away. He submits that there is no recovery from the petitioner. He further submits that the petitioner has been arrested after a period of 18 months. He further submits that the investigation has been completed. Challan has been presented. Charges have been framed. He further relies upon bail granted to the co-accused Harmanjot Singh Jyoti vide order dated 07.05.2019 passed by this Court in CRM-M-19701-2019.

On the other hand, learned State counsel on instructions from SI Baldev Singh has submitted that efforts were being made to arrest the petitioner and therefore there was a delay. However, on a pointed question, learned State counsel on instructions from the investigating officer submits

that the petitioner is not involved in any other case and there is no recovery from the petitioner.

Without commenting on the merits of the case and keeping in view the facts of the case, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

25.07.2019

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No