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

CRM-M-48288 of 2018
Date of Decision: 09.01.2019

Tarun Kalia

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. R.S. Rai, Sr. Advocate,
with Mr. Sahil Puri, Advocate, for the petitioner.
Mr. Amandeep S. Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.116 dated 12.07.2018 registered under Sections 22/25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of the NDPS Act added later on) at Police Station Basti Bawa Khel, District Jalandhar.

According to the prosecution, on 12.7.2018, petitioner and his co-accused were intercepted by the police, while they were coming in their Maruti car. They were found in possession of two polythene bags containing medicines/tablets which fall under the definition of 'NDPS' Act.

Learned counsel for the petitioner *inter alia* contends that petitioner is a licensed druggist/stockist. Therefore, no violation of any kind has been done by the petitioner. Petitioner is in custody since 12.07.2018. Co-accused of the petitioner namely, Prem Nath Mittu and

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Navrattan Kalia have been granted bail by this Court vide orders dated 31.08.2018 and 23.10.2018 passed in CRM Nos. M-37094 of 2018 and 45550 of 2018, respectively. Treating the case of the petitioner on the same parity as that of his co-accused, he may also be enlarged on bail. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more during trial.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case and treating the case of the petitioner on the same parity as that of his co-accused, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

(RAMENDRA JAIN)
JUDGE

January 09, 2019
R.S.

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No

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