

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

**Criminal Misc. No. M-50353 of 2018
Date of decision: 09.01.2019**

Parveen Kumar @ Vicky

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Satnam Singh Gill, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Parveen Kumar @ Vicky under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.248 dated 20.12.2017 registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Sunam, District Sangrur.

Learned counsel for the petitioner submits that the FIR was registered on the basis of secret information. The petitioner along with co-accused, namely, Sukhdev Singh was named in the FIR and said Sukhdev Singh has been released on anticipatory bail by this Court. The petitioner was not arrested at the spot and recovery of 10 kgs poppy husk has been shown to be effected from the vehicle, which is non-commercial. Learned counsel further submits that one more case is also pending against the petitioner and he is on bail in that case. All the witnesses are official

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witnesses and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence. The petitioner is in custody since 30.07.2018

Learned State counsel has not disputed the custody period; recovered quantity as well as the fact that co-accused, namely, Sukhdev Singh has been released on anticipatory bail by this Court.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

In view of the submissions made by learned counsel for the petitioner that the petitioner is in custody since 30.07.2018; co-accused, namely, Sukhdev Singh has been released on anticipatory bail by this Court; the petitioner was not arrested at the spot; the recovery is non-commercial; all the witnesses are official witnesses and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence; the trial may take long time to conclude and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Parveen Kumar @ Vicky) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

09.01.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No