

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-23754-2019

Date of Decision: 29.05.2019

Amit Kumar

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Ms. Arti Kaur, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner- Amit Kumar, has prayed for grant of regular bail in case FIR No. 134 dated 12.12.2018 registered under Section 22 of the NDPS Act at Police Station Lambra, Jalandhar.

According to the prosecution, 250 grams of intoxicating substance was recovered from the conscious possession of co-accused of petitioner, namely; Gurpreet Singh @ Gopi Shooter.

Learned counsel for the petitioner *inter alia* contends that petitioner was not apprehended at the spot. He has falsely been implicated in the instant case, on the basis of disclosure statement suffered by his co-accused-Gurpreet Singh @ Gopi Shooter, to the effect that he had purchased the alleged contraband from the petitioner, which is a very weak type of evidence. Petitioner is in custody from the date of

his arrest. Conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Amit Kumar, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

May 29, 2019
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(RAMENDRA JAIN)
JUDGE

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