

CRM-M-54179 of 2018

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

CRM-M-54179 of 2018
Date of Decision: 08.03.2019

Naveen Kumar Kansal @ Navneet Kumar Kansal @ Vicky
...Petitioner

Versus

State of Punjab
....Respondent

CRM-M-8914 of 2019

Pritam Singh @ Preet
...Petitioner

Versus

State of Punjab
....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. L.S. Sekhon, Advocate, for the petitioner
in CRM-M-54179 of 2018.
Mr. J.S. Sandhu, Advocate, for the petitioner
in CRM-M-8914 of 2019.
Mr. Amandeep S. Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

By this Common order, I shall dispose of above-titled two petitions under Section 439 Cr.P.C. for grant of regular bail to the petitioners in a case arising from FIR No.244 dated 13.10.2018 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Civil Lines Bathinda, District Bathinda.

According to the prosecution, on 13.10.2018 petitioners were apprehended with conscious possession of 2560 strips of TENSIWIN 0.50

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(Alprazolam tablets salt), containing 10 tablets each and 590 strips of KLAV-DOL-SR (Tramadol-HCL tablets), containing 10 tablets each.

Learned counsel *inter alia* contends that petitioner Naveen Kumar Kansal @ Navneet Kumar Kansal @ Vicky is a licensed druggist having permit to keep drugs allegedly recovered from him, whereas petitioner Pritam Singh @ Preet was simply sitting with Naveen Kumar Kansal @ Navneet Kumar Kansal @ Vicky. Petitioner Naveen Kumar Kansal was having legal custody of the drugs recovered from him being purchased through bill already handed over to the Investigating Officer. They have falsely been implicated in the aforesaid FIR. They are in custody since 13.10.2018. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioners in jail any more.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioners.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, both the petitions are allowed. Consequently, petitioners are ordered to be released on bail during pendency of trial, on their furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

March 08, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No