

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25708-2019

Date of decision: 05.07.2019

Bablu

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.440 dated 15.05.2018 under Sections 21/22 of NDPS Act, registered at Police Station City Sirsa.

Learned counsel for the petitioner submits that as per allegations in the FIR, the police party, during the search of bad elements, found a motorcycle parked near Kali Mata Mandir, on whose seat, a plastic bag was lying and six young boys were standing nearby. On seeing the police party, they tried to run away, however, they were apprehended and four persons namely Shami @ Sukhbir, Amit, Pawan and Sandeep were named in the FIR. It is further submitted that five other co-accused namely Sandeep (juvenile), Gurnam, Trilok Singh, Sukhbir and Pawan Kumar have already been granted the concession of regular bail.

Learned counsel further submits that the petitioner is in judicial custody for the last about 01 year and 01 month and is not involved in any other case. It is further submitted that the case is still at the stage of recording the prosecution evidence and it will take some time in conclusion of the same.

Learned State counsel has filed the custody certificate dated 03.07.2019 in the Court today and as per the custody certificate, the petitioner is in custody for the last 01 year, 01 month and 18 days and is not involved in any other case.

Without commenting anything on merits of the case, considering the fact that some co-accused of the petitioner have already been released on regular bail and also taking into consideration custody of the petitioner and the fact that since the case is still at the stage of recording the prosecution evidence, it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

05.07.2019

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No