

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

**CRM-M No. 33976 of 2019
Date of Decision:-13.09.2019**

Varun Kumar @ Varun Latte

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Vipul Jindal, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 31 dated 20.1.2018, under Sections 21, 22 of NDPS Act and under Section 25 of the Arms Act, registered at Police Station Civil Line, Amritsar.

As per FIR, when the police party was present at some distance behind T-point Goal Baag Electricity Office, a car make i20 hyundai, white coloured and without number was seen coming towards Goal Baag. On seeing the police party, the driver of the said car stopped the car and tried to turn back. He was caught by the police, who disclosed his name as Varun Kumar @ Varun Latte and on his search 980 loose intoxicating tablets and one pistol 32 bore countrymade alongwith five live cartridges were recovered.

Learned counsel for the petitioner has submitted that vide order dated 05.4.2018 (Annexure P-2) the petitioner was granted interim bail by the trial Court till receipt of report of FSL. Now, after filing of FSL report, the petitioner was taken into custody. He further contends that the quantity of contraband recovered from the petitioner falls within non-commercial category and neither the concession of interim bail was misused by the petitioner, nor any other case is pending against him. He further submits that the trial will take considerable time as the challan in the case has been filed on 30.1.2019.

On the other hand, learned State counsel has opposed the prayer on the ground that order passed by the Court below rejecting the bail of the petitioner is well reasoned. It is not disputed that the concession of interim bail was never misused by the petitioner.

Heard.

Considering the above and the fact that the petitioner remained on interim bail from 05.4.2018 till 12.7.2019 and he never misused the said concession, therefore, without meaning any expression of opinion on the merits of the case it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Amritsar.

The petition is allowed.

September 13, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No