

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.202

CRM-M-37968-2019

Date of decision : 27.9.2019

Rakesh Kumar

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. C.L. Verma, Advocate, for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.170 dated 28.5.2018, registered at Police Station City Khanna, District Ludhiana, under Sections 22/25 of NDPS Act, 1985.

According to the FIR, the police intercepted a vehicle from which recovery of narcotic substance has made. The petitioner as co-accused of Vishal Sahota @ Shalu as well as Ranjit Kumar @ Jeeta were sitting on the rear seat of the vehicle alongwith petitioner.

Learned counsel for the petitioner submits that co-accused namely, Vishal Sahota @ Shalu, who is identically placed as the petitioner has already been granted regular bail by this Court vide order dated 17.12.2018 passed in CRM-M-54516-2018 (Annexure P-4) titled as Vishal Sahota @ Shalu Vs. State of Punjab. The petitioner has been in custody for over 01 year now and thus, he also deserves to be granted the same concession.

Latest custody certificate prepared by Sh. Narpinder Singh, PPS, Deputy Superintendent, Central Prison, Ludhiana, has been produced by learned State counsel in Court today and the same is taken on record.

According to this certificate, the petitioner has undergone actual custody of
RAMANDEEP SINGH
2019.09.30 16:32
I attest to the accuracy and
authenticity of this document

01 year, 03 months and 28 days and there is no case under the NDPS Act, 1985 pending against him. On instructions from ASI-Baljit Singh, he submits that at present, 03 PWs stand examined out of total of 11 PWs.

From the above, it is apparent that the trial is not likely to be concluded at an early date and that a person, who is identically situated as the petitioner, has already been granted regular bail by this Court. There is no other case under the NDPS Act, 1985 pending against the petitioner and therefore, it would be appropriate to grant him regular bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

27.9.2019
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No