

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

CRM-M No.41788 of 2019

Date of decision : November 22, 2019

Ramesh Kumar @ Kaka

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. L.S. Sekhon, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

ANUPINDER SINGH GREWAL J. (ORAL)

The petitioner is seeking regular bail in FIR No.112 dated 30.04.2019 under Section 22 of the NDPS Act, 1985, registered at Police Station Sardulgar, District Mansa.

Learned counsel for the petitioner contends that although the petitioner is named in the FIR, which has been registered on the basis of secret information, the recovery has been effected from the house of one co-accused Gaggu Singh and three other co-accused, were arrested along with Gaggu Singh, at the spot. The petitioner was arrested on 10.05.2019. It is also alleged that co-accused Tejinder Singh had stated that the petitioner was also present at the spot and had left it before he raid. He also contends that the petitioner was also involved in two other cases under the NDPS Act, wherein recovery of poppy husk and Alprazolam tablets of non-commercial quantity was allegedly effected from him. He is on bail in those case but he is in custody in this case for over six months.

Learned State counsel, upon instructions from ASI Darshan Kumar, contends that 01 out of 13 prosecution witnesses has been examined and the recovery in the instant case is of 2604 grams of Alprazolam. He is not in a position to controvert the submissions of learned counsel for the petitioner that no recovery was effected from the petitioner in the instant case.

Heard.

In view of the submissions of the learned counsel for the petitioner especially when the petitioner is in custody for over six months and the conclusion of the trial is likely to take sometime, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

November 22, 2019

sarita

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No