

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

294

CRM-M-50050 of 2019

Date of Decision: 3.12.2019

Deepak Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr.Gurpal Singh Sandhu, Advocate for the petitioner.

Ms.Amarjit Kaur Khurana, DAG Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.109 dated 6.6.2018 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Lambi, District Sri Muktsar Sahib.

It is contended by counsel for the petitioner that case against the petitioner is totally concocted. Even as per the allegations of the prosecution, 70 bottles of cough syrup ONEREX, 950 tablets of Carisoprodol were recovered from a car. However, the said car does not belong to the petitioner and he was not even driving the said car at the relevant time. No other case is pending against the petitioner. The petitioner is in custody since 06.06.2018. Challan has already been filed. Hence the petitioner is not required for any investigation purpose and therefore, he deserves to be released on bail pending trial.

On the other hand, counsel for the State, being instructed by the

police official, submits that the petitioner is involved in carrying the commercial quantity of contraband material. However, it is not disputed that the petitioner is not the owner of the car from which the contraband material has been recovered. It is also not disputed that the petitioner is in custody since 6.6.2018.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

3.12.2019
Meenu

Whether reasoned/speaking: Yes
Whether reportable: No