

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

212

CRM-M-51321 of 2019

Date of decision: 17.12.2019

Ajay Kumar

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

ASHOK KUMAR VERMA, J.(ORAL)

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner-Ajay Kumar, in case FIR No.196, dated 07.11.2019, under Section 21/27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and under Section 3 / 4 / 5 of Immoral Traffic Act, 1956, registered at Police Station Division No. 3, District Ludhiana.

The present FIR was registered on the basis of alleged secret information. The petitioner was neither named by the secret informer nor named in the present FIR. The alleged recovery of 600 intoxicant capsules mark Tramadol Hydrochloride and other immoral material have been recovered from the co-accused namely Madhu Verma from her residence. Nothing has been recovered from the possession of the present petitioner. The present petitioner was neither present, when the alleged recovery was effected nor the place from where the alleged recovery has

been effected belongs to the present petitioner.

Learned counsel for the petitioner submits that FSL report has not yet been received. He further contends that the petitioner is in custody since 07.11.2019. The petitioner is not required for interrogation or investigation purposes as he is in judicial custody. Nothing is to be recovered from him. The trial of the case is likely to take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Illaq Magistrate, Ludhiana.

The petition stands disposed of accordingly.

December 17, 2019

Poonam Sharma

**(ASHOK KUMAR VERMA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No