

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-53325-2019 (O&M)  
Date of decision: 19.12.2019

**Vinod Kumar**

**... Petitioner**

**Vs.**

**State of Punjab**

**... Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

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

Mr. Joginder Pal Ratra, DAG, Punjab.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of regular bail in FIR No.116 dated 21.12.2017 under Sections 15 & 18 of NPDS Act, registered at Police Station Khanauri, District Sangrur.

Learned counsel for the petitioner submits that as per allegations in the FIR, when the police stopped a canter, he found three persons i.e. Kuldeep Singh, driver and two other persons i.e. Surmukh Singh and petitioner Vinod Kumar in the canter and recovery of intoxicant substance was effected. It is further submitted that the petitioner is in custody for the last 01 year, 11 months and 23 days and is not involved in any other case. Learned counsel further submits that similarly situated co-accused Surmukh Singh has been granted the concession of regular bail vide order dated 25.11.2019 passed in CRM-M-28322-2019. It is also submitted that out of total 19 prosecution witnesses, only

06 PWs have been examined so far and one question is to be decided during the course of trial whether the petitioner was in conscious possession of the contraband recovered.

Learned State counsel has filed the custody certificate dated 19.12.2019 in the Court today and on instructions from the Investigating Officer, has not disputed the factual position.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last about two years and is not involved in any other case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

19.12.2019  
*vishnu*

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No