

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

CRM-M-75805-2018

Date of Decision: 11.01.2019

Sandeep Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Rupinder Kaur Thind, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner Sandeep Kumar has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.68 dated 12.07.2018, registered at Police Station Nandgarh, District Bathinda, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1961/985 (Section 25 of the NDPS Act is added later on).

Notice of motion was issued.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

As per the prosecution version, three co-accused, namely, Mange Ram, Kuldeep Kumar and Bintu Ram were found standing near two motor cycles and 1750 tablets of Tric-SR and 2050 tablets of Prozolam were recovered from them. The allegation against the present petitioner is that he

was the owner of one of the motor cycle. He has been challaned under Section 25 of the NDPS Act and Section 37 of the NDPS Act does not apply in the present case. Furthermore, no recovery has been effected from the present petitioner.

The petitioner has been in custody since 29.10.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

11.01.2019*jasmine kaur***(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No