

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

Sr. No.205-a

**CRM-M-2954-2020 (O&M)
DATE OF DECISION: 17.09.2020**

RAHUL KUMAR @ MINTU

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. D.S. Pheruman, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks grant of regular bail in case FIR No. 157 dated 21.09.2019 registered at Police Station City Gurdaspur, District Gurdaspur under Sections 21 & 22 of NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been in custody for almost one year. The trial is not likely to be concluded at an early date as even charges have not been framed as yet. There is no other criminal case pending against the petitioner. In this case, the petitioner has been implicated only on account of disclosure of a co-accused and no recovery has been effected from him. Thus, the petitioner may be granted regular bail.

Custody certificate dated 16.09.2020 has been submitted in Court. The same is taken on record. According to this certificate, the

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petitioner has undergone actual custody of 11 months and 17 days and there is no other criminal case pending against him.

Learned State counsel does not dispute any of the submissions made on behalf of the petitioner.

Thus, it is evident that no recovery has been effected from the petitioner and that he has been implicated in this case on the disclosure of a co-accused. The petitioner has been in custody for almost one year as his date of arrest is 24.09.2019. The trial is not likely to be concluded at an early date. There is no other criminal case pending against the petitioner and thus, he deserves to be granted regular bail.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

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Since regular bail of the petitioner has been allowed. Therefore, this application has been rendered infructuous. The same is disposed of accordingly.

17.09.2020

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No