

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

**CRM-M-14483-2020
Date of decision: 25.06.2020**

Rajesh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. R. S. Thind, DAG, Punjab.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 192 dated 01.10.2019, registered under Sections 22 of the NDPS Act, 1985 at Police Station City Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner submits that as per the allegations in the FIR, one Jagsir Singh @ Seera was driving a motorcycle and petitioner Rajesh Kumar and one Jaswinder Singh @ Jassi were the first and second pillion riders, respectively. It is further stated that the police, on apprehension, stopped the said motorcycle and recovered a transparent polythene which was found to be containing *Tramadol Hydrochloride* tablets, as per FSL report.

Learned counsel for the petitioner further submits that the persons riding as second pillion, i.e. Jaswinder Singh @ Jassi, has already been granted concession of regular bail, vide order dated 18.03.2020 passed

in CRM-M-10541-2020.

Learned counsel for the petitioner further submits that the petitioner is in judicial custody since 01.10.2019 and he is not involved in any other case. It is further submitted that challan has already been presented and conclusion of trial may take a long time.

Learned State counsel has filed custody certificate and has not disputed the fact that co-accused Jaswinder Singh @ Jassi has already been granted concession of regular bail by this Court. It is also not disputed that petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is in judicial custody since 01.10.2019; similarly situated co-accused of the petitioner has already been granted concession of regular bail as noticed above and also in view of the fact that conclusion of trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety to the satisfaction of the trial Court/Duty Magistrate concerned.

25.06.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No