

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

211-A

CRM-M-18581 of 2020

Date of Decision: 17.08.2020

Sewak Raj @ Happy

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Ashok Giri, Advocate
for the petitioner.

Mr. M. S. Nagra, AAG, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Sewak Raj @ Happy** in case F.I.R. No.93 dated 03.05.2020 under Section 22 of NDPS Act and Section 188 of Indian Penal Code, registered at Police Station Shahkot, District Jalandhar Rural.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that petitioner has been arrayed as accused merely on the disclosure statement of co-accused Sonu Singh. He further urges that nothing incriminating (contraband) has been recovered at the instance of petitioner. He further urges that petitioner is in custody since 04.05.2020 and he is no more required by the Police for any investigation purpose.

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He further urges that since consequent trial would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further, thus, he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 04.05.2020; that petitioner is no more required by the Investigating Agency for investigation purpose and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- **Sewak Raj @ Happy** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Jalandhar, as the case may be.

(LALIT BATRA)
JUDGE

17.08.2020

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No