

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

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**CRM-M No.20703 of 2020
Date of decision:17.08.2020**

Prem Kumar @ Neeta

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. J.S. Sandhu, Advocate for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

SUVIR SEHGAL J. (ORAL)

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.95, dated 25.02.2020 registered under Sections 22/29 of NDPS Act, 1985 at Police Station City Barnala, District Barnala, Punjab.

Counsel for the petitioner has submitted that the name of the petitioner has been involved in the FIR on the basis of the disclosure statement of Naresh Kumar. According to the counsel, neither petitioner was arrested on the spot nor recovery has been affected from the petitioner and he has a clean past. He has relied upon order dated 15.07.2020 (Annexure P-3) whereby co-accused, Balwinder Kumar @ Kalu was released on bail.

State counsel has opposed the petition, upon instructions from SI Kuldeep Singh and submitted that huge recovery had been effected from the co-accused, namely, Mohan Lal and Naresh Kumar Mittal. He has filed the custody certificate dated 15.08.2020 which shows that the

petitioner is behind bar for the last 4 month and 28 days. As per his instructions, FIR is under investigation and challan is yet to be filed.

Heard.

The case of the petitioner is at par with that of Balwinder Kumar @ Kalu. Considering said fact and that the petitioner is in custody for 4 month and 28 days and that the trial is likely to take sometime to conclude, no useful purpose will be served by keeping the petitioner behind bars any further. Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

17.08.2020

pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No