

**202-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.30593 of 2021
Date of Decision:25.11.2021**

RAJESH KUMAR VADHERA @ BOBBY ...Petitioners

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vikram Chaudhri, Sr. Advocate with
Mr. Keshavam Chaudhri, Advocate and
Mr. Parvez Chaudhary, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition, the petitioner seeks regular bail in case FIR No.51 dated 18.05.2021, registered under Sections 22 and 29 of NDPS Act and Sections 420, 468, 481 & 120-B IPC, Police Station Mattewal, Police District Amritsar Rural.

Learned Senior counsel for the petitioner submits that three accused namely, Sameer Kumar @ Pardhan, Gurmukh Singh and Suraj Kumar @ Pardhan were arrested and the recovery was effected from them. Thereafter, the police raided the factory premises at Paonta Sahib, Himachal Pradesh and had arrested Munish Mohan, Manager of the said premises. On the disclosure statement of Munish Mohan, four accused persons, namely,

Chetan Parmar, Tarun Batra, Ranu Bhargav and Prem Kumar Jha, were indicted. Thereafter, on the disclosure statements of Ranu Bhagrav and Prem Kumar Jha, another four accused persons, namely, Pankaj Dhiyani, Ashish Kumar Chaudhary, Parmod Singh @ Bisht and Rakesh Goyal, were indicted. On disclosure statement of Parmod Singh @ Bisht, two accused persons namely, Amarpreet Singh @ Sunny and Rajesh Kumar Vadera @ Bobby were indicated. Thereafter, on the disclosure statement of Amarpreet Singh @ Sunny, Rajiv Bhagat was indicted, on whose statement, Manu Chauhan @ Rahul was indicted.

Learned Senior counsel further submits that the petitioner was working as a Marketing Manager in M/s Orison Pharma International which was owned by co-accused namely, Rakesh Goyal, who had already been granted anticipatory bail by the trial Court vide order dated 29.10.2021 and other co-accused namely, Ranu Bhargav and Rajiv Bhagat had also been granted concession of regular/anticipatory bail. He further states that no recovery has been effected from the petitioner; and he has been in custody since 11.06.2021; and that the challan has been presented and prosecution witnesses are yet to be examined. There is no other case pending or registered against the petitioner.

Learned State counsel while opposing the concession of grant of regular bail to the petitioner submits that huge recovery had been effected from the co-accused. Further recovery has also been effected from the factory premises M/s Unique Formulations.

I have heard learned counsel for the parties.

It is a case in which no recovery has been effected from the

petitioner; he has been in custody since 11.06.2021 and no other case is pending or registered against the petitioner. The challan has already been presented and witnesses are yet to be examined. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(HARNARESH SINGH GILL)
JUDGE

November 25, 2021

Jyoti-IV

Whether speaking/reasoned Yes/No Whether Reportable Yes/No