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

CRM-M-50140-2021

Date of Decision: 15.12.2021

Prince Ahuja @ Jharni @ Prince Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Parvesh Sachdeva, Advocate,
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition filed on behalf of the petitioner for regular bail under Section 439 Cr.P.C. in case FIR No.99, dated 15.06.2021, under Sections 21/25/29/61/85 of the NDPS Act, registered at Police Station City Fazilka, District Fazilka, Punjab.

2. Seen Custody Certificate of the petitioner, from which it transpires that he has remained in detention for a period of five months and twenty seven days, since 19.06.2021.

3. After completion of investigation, Challan against the petitioner has already been submitted. The contraband in the present case was allegedly recovered from under the gear box of a car bearing Registration No.DL-8 CR-2478, which was being driven by one Dr. Ramesh Kumar @ Babbu and the petitioner was travelling in the same as a passenger.

4. The petitioner's contention in this regard is that he has nothing to do with the contraband and had only taken a lift for going from Jalalabad to Fazilka by requesting the driver of the said car, which is said to be belonging to the son of driver Dr. Ramesh Kumar, who is already in custody. The contraband recovered in the case, in any case, is just marginally above the commercial quantity, being 252 grams of *heroin*.

5. Co-accused Mukesh Kumar was already granted the concession of anticipatory bail by this Court in CRM-M-32554-2021 on 24.08.2021.

6. The trial in the case is yet to commence and even the Charges have not yet been framed.

7. In view of the above, without commenting any further on merits of the present case as a whole and considering the detention undergone by the petitioner so far, this Court is of the opinion that no useful purpose would be served by keeping him in detention for an indefinite period of time. Therefore, his prayer for regular bail is allowed and he is ordered to be released on bail, subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

8. Disposed off.

15.12.2021*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No