

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

**CRM-M-25268-2021
Date of decision: 25.03.2022**

Raj Kumar @ Raju

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Rajdeep Singh Gill, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

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. 78 dated 16.02.2021, registered under Sections 22, 25 and 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of SI Lakhwinder Singh, it is stated that while on patrol duty, a secret information was received that Baljeet Singh and Gursewak Singh @ Kala are indulged in selling intoxicant tablets in the area of City Barnala and neighboring areas by bringing the same from outside. Thereafter, a ruqa was sent to the police station and both the said persons were apprehended with 11500 intoxicant tablets.

Learned counsel for the petitioner further submits that the petitioner was later on nominated on the disclosure of aforesaid co-accused

and was arrested and 800 tablets of Alprazolam were recovered from him. It is further submitted that the petitioner is in judicial custody for the last about 01 year and 01 months and he is not involved in any other case; challan stands presented and charges have been framed.

Learned counsel for the petitioner further submits that it will be a matter of trial whether the disclosure of the co-accused is admissible against the petitioner or not.

Learned State counsel has filed the custody certificate and has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last about 01 year and 01 month; he is not involved in any other case and also in view of the fact that conclusion of trial is likely to take a long time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

25.03.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No