

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
215-A

CRM-M-45188-2021

Date of Decision: 24.04.2023

Ram Naresh Yadav

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Monty Goyal, Advocate for the petitioner.

Mr. J.P. Ratra, Sr. DAG, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate dated 21.04.2023 filed by learned counsel for the State is taken on record.

The petitioner has filed the present petition under Section 439 Cr.P.C., for grant of regular bail in case FIR No. 166 dated 20.08.2021 registered under Section 22 of the NDPS Act at Police Station City-2, Khanna, District Ludhiana.

According to the prosecution story, the aforesaid FIR was registered against the petitioner and his co-accused-Sukhwinder Singh, on the allegations that on 20.08.2021, they were travelling in a white coloured Xcent Car bearing registration No. UP-14-JT-0448 and on checking 2640 intoxicant tablets were recovered from the car.

Learned counsel for the petitioner, *inter alia*, contends that petitioner has falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. He is

only the driver of the aforesaid car. Learned further contends that out of total 13 prosecution witnesses, none has been examined so far. Petitioner is not involved in any other case. He is in custody since the date of his arrest. Trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Thus, it is prayed that he may be released on regular bail.

On the other hand, learned counsel for the State vehemently opposed the submissions made by learned counsel for the petitioner. However, he fairly conceded the fact that petitioner is not involved in any other case.

Keeping in view the facts and circumstances of the case, custody period of the petitioner and also the fact that the petitioner is not involved in any other case, but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and petitioner, namely; Ram Naresh Yadav, is ordered to be released on regular bail on furnishing of bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

24.04.2023
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(ASHOK KUMAR VERMA)
JUDGE

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