

220 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-914-2024

Decided on:-16.01.2024

Rajesh Khanna @ Bobby

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sukhandeep Singh, Advocate
for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.39, dated 31.05.2023, registered under Sections 22, 26, 27-A, 29 of NDPS Act, 1985 and Sections 18-A and 18(c) of the Drugs and Cosmetics Act, 1940, at Police Station Verka, District Amritsar.

2. In the present case, the petitioner has been implicated merely being an employee of the SVR Pharmaceuticals i.e. the vendor of the tablets in question.

3. On the other hand, prayer made herein has been opposed at the instance of learned State counsel while referring to the recovery of intoxicant tablets, besides the alleged forgery of bills/invoices by the petitioner.

4. I have heard learned counsel for the parties and gone through

the paper book and find substance in the submissions made on behalf of the petitioner.

5. In the present case, the petitioner merely happens to be an employee of SVR Pharmaceuticals i.e. manufacturers and no recovery has been effected from him besides it, there is no other case under NDPS Act pending against him and he has already suffered incarceration for a period of 05 months & 04 days. Moreover, the Director of the SVR Pharmaceuticals namely, Vinod Kumar Samra has already been granted the concession of regular bail by this Court vide order dated 10.01.2024 passed in CRM-M-61697-2023. Even the investigation already stands concluded with the filing of challan and trial is likely to take some time. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

16.01.2024
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/ No