

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

CRM No.M-10077 of 2016 (O&M)

Date of decision: December 1, 2016

Kulwinder Singh alias Taina

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Salil Bali, Advocate
for the petitioner.

Mr. P.S. Grewal, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Kulwinder Singh alias Taina has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.132 dated 23.08.2015 registered at Police Station Makhu, District Ferozepur, under Sections 21, 25 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion has been issued in this case.

Mr. P.S.Grewal, Deputy Advocate General, Punjab, has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the present petitioner was not apprehended on the spot nor any recovery has been effected from him. He was only nominated in this case on the basis of disclosure statement of Swaranjit co-accused on the allegations that he is supplying the heroin to

them. Co-accused Arun Passi alias Dimpy having almost the similar allegations has already been granted the concession of bail by the Special Judge, vide order dated 06.01.2016. Therefore, on the ground of parity also the petitioner is entitled for grant of bail. Moreover, the petitioner is in custody since 22.11.2015. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing personal bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

December 1, 2016

rajesh.k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No