

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

CRM-M-10935 of 2016 (O&M)
Date of decision : 08.09.2016

Karan Singh @ Kalu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. H.S. Rakhra, Advocate
for the petitioner.

Mr. R.S. Nain, AAG, Punjab
assisted by ASI Ram Kishan.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in FIR No.32 dated 05.02.2015, registered under Sections 18, 21, 27 and 29 of the Narcotic Drugs and Psychotropic Substances Act, (for short, 'the NDPS') at Police Station G.R.P. Ludhiana, District Ludhiana.

The learned counsel for the petitioner contends that the petitioner is not named in the FIR. The only allegation against the petitioner is that co-accused, Manpreet Singh had deposited Rs.56,000/- in the accounts held by the petitioner. He states that the

petitioner and the co-accused are driver by profession. The co-accused used to visit native place i.e. State of Madhya Pradesh, of the petitioner and the petitioner never visited the State of Punjab. However, for the services rendered by him to co-accused, Manpreet Singh certain amount has been credited in his account from the year 2013 to 2015 and beyond this there is no incriminating evidence against the petitioner. The petitioner is in custody since 14.02.2015. The co-accused, Manpreet Singh has already been admitted to bail by the trial Court. The petitioner is not involved in any other FIR, which is duly admitted by the learned State counsel.

On the other hand, the learned State counsel states that challan has been filed and out of 26 prosecution witnesses, 3 have been examined so far.

I have heard the learned counsel for the parties and perused the record.

In view of the facts that the petitioner is not involved in any other FIR; he is in custody since 14.02.2015; out of 26 prosecution witnesses, only 3 have been examined so far; challan stands presented; co-accused, Manpreet Singh has already been admitted to bail, no purpose would be served in keeping the petitioner behind the bars, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail, on his furnishing bail bonds/surety bonds, to the satisfaction of the Chief Judicial

Magistrate/Duty Magistrate, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

08.09.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No