

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-25539 of 2016

Date of Decision: 02.08.2016

Kuljeet Singh @ Jeet

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. O.P. Kamboj, Advocate
for the petitioner.

Mr. Sultan Singh Gill, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.118 dated 21.12.2014 under Sections 22 of the NDPS Act registered at Police Station Lakho Ke Behram, District Ferozepur.

Learned counsel for the petitioner contends that the alleged recovery from the petitioner is of 930 tablets of Alprazolam-0.5, the weight of which comes to 104.40 grams which is marginally higher than commercial quantity. He submits that earlier the petitioner was on bail in proceedings under Section 167(2) CrPC and during this bail period, he has not committed any offence. However, he is in custody since 13.5.2016.

Learned State counsel does not dispute the aforesaid facts as well as the alleged recovery is marginally higher than the commercial quantity. He further submits that in the case in hand, challan has been presented, but the prosecution evidence is yet to start.

I have heard learned counsel for the parties.

Without commenting on the merits of the case, but keeping in view the custody period of the petitioner and the fact that the trial is not likely to be concluded in near future, the present petition is allowed. Petitioner – Kuljeet Singh @ Jeet is ordered to be released on regular bail subject to his furnishing of bail bonds/surety bonds to the satisfaction of trial Court.

August 02, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No