

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

**Criminal Misc.No.M-32325 of 2016 (O&M)
Date of Decision : 04th October, 2016**

Kuldeep Singh alias Pardesi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Rajesh Kapila, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. A.G., Punjab
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

Petitioner has preferred the instant petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.141 dated 12.10.2014, registered at Police Station Mamdot, District Ferozepur, under Sections 21/25/29 of the Narcotic Drugs & Psychotropic Substances Act.

Learned counsel for the petitioner has argued that the petitioner has been in custody for a period of 02 years and the recovery was 400 grams of heroine. He has further argued that there were two other co-accused who were arrested and from each of them 300 grams of heroine was recovered and they were granted bail by this Court vide orders dated 11.03.2016 and 04.05.2016, passed in Criminal Misc.Nos.M-5966 of 2016 and 13554 of 2016 respectively, on the ground that despite such a long passage of time only one prosecution witness has been examined. Learned counsel for the

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petitioner has further argued that even now in October, 2016, not a single other prosecution witness has been examined and even if allowance is made for the higher recovery from the petitioner, he has now undergone six months more than those co-accused and has been in custody since 12.10.2014.

Learned State counsel, on instructions, has accepted these factual assertions. However, she has argued that one more case under the Narcotic Drugs & Psychotropic Substances Act is pending against the petitioner.

Be that as it may, keeping in view the facts and circumstances and the fact that as the co-accused have already been granted bail by this Court and due to the slow progress of the trial, I deem it appropriate to grant bail to the petitioner.

Ordered accordingly. Bail to the satisfaction of the learned trial Court/Duty Magistrate.

Petition stands allowed accordingly.

(AJAY TEWARI)
JUDGE

04th October, 2016
mamta

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No