

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

CRM-M-32633-2016 (O&M)

Date of decision: 27.09.2016

Kulwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

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

Mr. Mehardeep Singh, Addl.A.G., Punjab,
assisted by ASI Mahinder Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.245 dated 25.08.2014, registered under Sections 15, 18, 21, 22, 27-A, 28, 29 and 30 of the Narcotic Drugs and Psychotropic Substances Act, 1985, and Sections 52-A and 42 of the Prisons Act, 1894, at Police Station City Ferozepur.

Learned counsel contends that the petitioner had been suffering custody in another FIR, when the instant FIR was registered. The petitioner has been roped in the instant case on the statement made by co-accused Satpal, who was another inmate of the jail.

On the other hand, learned State counsel states that sixteen persons have been named in the FIR and challan has been presented against thirteen accused, whereas, the remaining three have been declared as proclaimed offenders. The amount from the sale of the contraband used to be deposited in the account of Sher Singh, the father of co-accused Satpal.

However, learned State counsel fairly concedes that there is no evidence collected to show that any amount was deposited in the account of the petitioner or his family members. He further informs that out of thirteen prosecution witnesses, one has already been examined.

Heard.

The challan has been presented. The petitioner is in custody since 25.08.2014. He has already been admitted to bail in the other FIR. Out of thirteen prosecution witnesses, only one has been examined so far, thus, the trial is not likely to be concluded in the near future.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

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

27.09.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No