

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

**Criminal Misc. No. M-21640 of 2018
Date of decision: 19.09.2018**

Karamjit Singh @ Laddi

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Dinesh Nagar, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Karamjit Singh @ Laddi under Section 439 Cr.P.C. for grant of regular bail in case FIR No.69 dated 08.09.2017 registered under Section 22 the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Mukandpur, District SBS Nagar.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas he was not involved. The alleged recovery from the petitioner is 105 gms of intoxicant powder (Alprazolam), which has falsely been planted upon him and the same is marginally more than the commercial quantity. No other case under NDPS Act is pending against the petitioner. All the witnesses are official witnesses and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence. Learned counsel also submits that out of total twelve prosecution witnesses, two have been examined and four have been

given up. The trial may take some time to conclude and no purpose would be served by keeping the petitioner in custody. The petitioner is in custody since 08.09.2017.

Learned State counsel has not disputed the custody period as well as the fact that no other case of NDPS Act is pending against the petitioner. It has also been admitted by learned State counsel that out of total twelve prosecution witnesses, two have been examined and four have been given up.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

In view of the submissions made by learned counsel for the petitioner and by considering that the petitioner is in custody since 08.09.2017; all witnesses are police officials and there is no possibility that the petitioner may influence the witnesses; out of total twelve prosecution witnesses, two have been examined and four have been given up; no other case under NDPS Act is pending against him; the trial may take time to conclude and no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Karamjit Singh @ Laddi) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

19.09.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No