

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

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**CRM-M No. 33209 of 2018  
Date of Decision: 9.8.2018**

**Sandeep Kumar @ Kallu**

**.....Petitioner**

**v.**

**State of Punjab**

**.....Respondent**

**CORAM HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present:- Mr. Jimmy Singla, Advocate, for the petitioner

Mr. Hittan Nehra, Addl. AG, Punjab

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**RAJBIR SEHRAWAT, J.**

Present petition has been filed under Section 439 of the Cr.P.C. for seeking bail pending trial in the FIR No. 9 dated 5.4.2018, under Sections 21 and 29 of the NDPS Act, 1985, registered at Police Station Special Task Force, District SAS Nagar.

Learned counsel for the petitioner submits that the alleged recovery in the case is 75 grams heroine which is non-commercial quantity. The petitioner is in custody since 5.4.2018. It is further contended that the co-accused of the petitioner have already been granted bail by the trial Court. The petitioner is not required for any investigation purposes. Trial of the case is yet to start.

On the other hand, learned State counsel, being assisted by HC Kuljeet Singh, does not dispute that the petitioner is in custody since 5.4.2018 and that the co-accused of the petitioner have been released on bail. However, it is pointed out that 2 more cases of NDPS are pending against the petitioner.

In response to this argument of the learned State counsel, learned

counsel for the petitioner submits that out of the said 2 cases against the petitioner, in one case he is on bail and, in the other case, the petitioner has already undergone the sentence.

In view of the above submissions of learned counsel for the petitioner, but without commenting upon the merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail pending trial, on his furnishing bond/sureties to the satisfaction of the Trial Court/Duty Magistrate.

**(RAJBIR SEHRAWAT)**  
**JUDGE**

**9.8.2018**  
*Ashwani*

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|-------------------|--------|
| Speaking/Reasoned | Yes/No |
| Reportable        | Yes/No |