

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-45527 of 2018

Date of Decision: December 05, 2018

Gurwinder Singh @ Kulwinder Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. S.C. Sabharwal, Advocate
for the petitioner

Mr. Luvinder Sofat, AAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 46 dated 26.04.2018, registered at Police Station Mamdot, District Ferozepur, under Sections 21 and 29 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been in custody since 05.05.2018. The investigation is complete but the examination of PWs has not yet commenced. The petitioner is not accused in any other case under the NDPS Act, 1985. In this case also no recovery has been effected from the petitioner and the only allegation against him is that the co-accused suffered disclosure statement that the contraband was supplied by the petitioner. Thus, the petitioner may be released on regular bail.

Custody certificate dated 22.10.2018 prepared by Sh. Vipanjit Singh, Deputy Superintendent, Central Jail, Ferozepur, has been filed in the Court today and the same is taken on record.

According to this certificate, the petitioner has undergone actual custody of five months and fifteen days. Thus, as on date, the petitioner has undergone actual custody of more than 6 ½ months. There is no other case under the NDPS Act, 1985 against the petitioner.

The factual submissions made by counsel for the petitioner are not contradicted by learned State counsel. Thus, it would be just and appropriate to grant regular bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

December 05, 2018
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[SUDHIR MITTAL]
JUDGE

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