

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

222

**CRM-M No.7165 of 2019
Date of Decision : 21.2.2019**

Kuldeep Singh alias Manak

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. R.S.Sekhon, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.103 dated 14.9.2016 registered under Sections 22/61/85 of NDPS Act, 1985 and 379/411 of IPC (added later on offence 420/467/468/471, IPC) at Police Station Kulgarhi, District Ferozepur.

Learned counsel has stated that as per the allegations in the FIR, a secret information was received by the police that petitioner alongwith two other persons was dealing in intoxicants and stolen motorcycles. A naka was laid and the petitioner and his co-accused were arrested. It is alleged that 500 gms of intoxicating powder alongwith 15 stolen motorcycles and 16 forged affidavits was got recovered. It is the precise contention of the learned counsel for the petitioner that intoxicants

were recovered from the co-accused Malkiat Singh and petitioner has been in custody for more than 2 years and 5 months and no other case under NDPS is pending against him.

Custody certificate dated 18.2.2019 by way of affidavit of Vipanjit Singh, Deputy Superintendent, Central Jail, Ferozepur has been filed on behalf of the respondent-State, the same is taken on record. Copy has been supplied to the opposite counsel. The custody certificate corroborates the fact that the petitioner has been in custody for 2 years, 5 months and 1 day and no other case under NDPS is pending against him.

Learned DAG has accepted that intoxicants were got recovered from co-accused Malkiat Singh.

In the circumstances, keeping in view the above facts and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to grant regular bail to the petitioner. Ordered accordingly. Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

21.2.2019
anuradha

(**AJAY TEWARI**)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No