

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

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CRM-M-11196-2019

Date of decision : 17.12.2019

Kuldeep Kumar

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Rajeev Sharma, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.36 dated 06.02.2018 under Section 21 of the NDPS Act (Section 22 of the NDPS Act as per impugned order dated 28.09.2018), registered at Police Station Sadar Nakodar, District Jalandhar.

Learned counsel for the petitioner contends that it is alleged that intoxicant substance containing 77 grams of *Diphenoxylate Hydrochloride* was allegedly recovered from the petitioner. He further contends that the petitioner is in custody for over one year and ten months and is not involved in any other case under the NDPS Act. He has relied upon the judgment of Coordinate Benches of this Court in the case of **Kashmir Singh vs. State of Punjab**, in CRM-M-7437 of 2019, decided on 21.02.2019, the petitioner therein had been granted regular bail as he was in custody for over seven months and the judgment in the case of **Karaj Singh vs. State of Punjab**, in CRM-M-23811 of 2018, decided on 09.07.2018, the petitioner therein had been granted regular bail after custody of six months.

Learned State counsel, upon instructions from ASI Suwinder Singh, contends that 03 out of 09 prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner, the judgements of the Coordinate Benches of this Court, the petitioner being in custody for over one year and ten months, he is not involved in any other case under the NDPS Act and the conclusion of the trial is likely to take sometime, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

December 17, 2019

sonia gugnani

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