

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

**CRM-M No. 18119 of 2019
Date of decision: 19.12.2019.**

Kuldeep Singh @ Jagga

..... Petitioner.

Versus

State of Punjab

..... Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Siddharth Gupta, Advocate, for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab, for the respondent.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 0283 dated 20.12.2018, under Sections 22 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' - for short), registered at Police Station Sangat, District Bathinda.

Learned counsel for the petitioner contends that the allegations against the petitioner are that intoxicant tablets containing Tramadol with a total weight of 406 grams were allegedly recovered from the petitioner. He further contends that earlier Tramadol was not covered under the NDPS Act and only after the notification issued on 26.04.2018, Tramadol has been brought within the ambit of the NDPS Act. He also contends that the petitioner is in custody for over one year. He is not involved in any other case under the NDPS Act. He has relied upon the judgment of the Coordinate Benches of this Court in the case of Kashmir Singh v. State of Punjab, in

CRM-M No. 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 v. State of Punjab, in CRM-M No. 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 Jaswinder Singh, states that six out of the twelve prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner, the orders of the Coordinate Benches of this Court, the petitioner is in custody for over one year, he is not involved in any other case under the NDPS Act and the conclusion of the trial is likely to take some time, 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 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

19.12.2019
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No