

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

253

CRM-M-30963-2019

Date of decision : 12.12.2019

Kuldeep Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Satbir Rathore, Advocate for the petitioner.

Mr. K.K. Bheniwala, Addl. A.G., Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.84 dated 15.07.2018, under Section 22 of the NDPS Act, registered at Police Station Sadar Nabha, District Patiala.

Learned counsel for the petitioner contends that the allegations against the petitioner are that powder containing 150 grams of Diphenoxylate Hydrochloride had been allegedly recovered from his pocket. He further contends that proper offer in terms of Section 50 of the NDPS Act was not given to the petitioner and the search was effected by ASI but consent memo had not been recorded in that regard. He also contends that the petitioner is in custody for about one year and five months and is not involved in any other case under the NDPS Act.

Learned State counsel has filed custody certificate in Court, which indicates that the petitioner has undergone sentence of 01 year, 04 months and 25 days. He, upon instructions from ASI Sarabjit Singh, states that 06 out of 12 prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is in custody for about one year and five months, 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.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

December 12, 2019

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