

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47019-2019

Date of Decision: 05.12.2019

Kuldeep Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A.S. Khosa, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.36 dated 03.04.2019, under Section 22 Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Arniwala, District Fazilka. He is in custody since his arrest on 03.04.2019.

The FIR was registered with the allegations that on 03.04.2019, when the police party was present near link road Fazilka, Malout in search of bad elements, accused Kuldeep Singh was seen coming on motorcycle Hero Splendor bearing No. PB-30-P-5369. On seeing the police party, he tried to flee away, but was apprehended. On his search, 1000 tablets of Clovidol-100SR batch No. TVD-18160 MFG MAR. 2019, EXP. 2022 were recovered from the polythene bag tied with the handle of the motorcycle.

Learned counsel for the petitioner contends that as per the prosecution, recovery of 1000 tablets of Clovidol-100SR batch No. TVD-18160 MFG MAR, 2019, EXP 2022 was made from the petitioner. He

2, only one parcel was sent as sample to the FSL, Bathinda, whereas in the FSL report there is variation in the batch number of the recovered articles. He submits that the petitioner is not involved in any other case and, therefore, he deserves the concession of regular bail.

Learned State counsel assisted by ASI Harjinder Singh has filed an affidavit of Jaspal Singh, PPS, Deputy Superintendent of Police, Sub-Division Jalalabad, District Fazilka on behalf of respondent-State, wherein it is mentioned that as per Form No.29, only one parcel was sent to the FSL, Bathinda, but the variation was later on clarified, as mentioned in the order dated 04.04.2019 passed by the JMIC, Fazilka.

Considering the above background and the custodial period of the petitioner, this Court finds that his further detention may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court Fazilka.

The petition is allowed.

05.12.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No