

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

CRM-M No. 50497 of 2019(O&M)

Date of decision: - 05.12.2019

KULDEEP SINGH @ BEETA

...Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Manpreet Ghuman, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Petitioner has filed this third petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 13 dated 24.01.2018 registered under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Dhuri, District Sangrur.

First petition CRM-M No. 20729-2019 and second petition CRM-M No. 40635 of 2019 filed by the petitioner were withdrawn with liberty to file afresh.

Learned counsel for the petitioner states no recovery was effected from the petitioner nor he is the owner of the vehicle. She further states that since 27.08.2019 to 29.11.2019, the prosecution witnesses are summoned by the Court out of 10 only 3 witnesses have been examined. Now, the the case is again fixed for 12.12.2019 for examination of remaining prosecution witnesses.

On the instructions from ASI Jaspal Singh, learned State counsel states that only one prosecution witness is yet to be examined on 12.12.2019.

As per zimni order dated 24.09.2019 no prosecution witness was present, on 15.10.2019 again accused-petitioner was present but no prosecution witness was present, on 30.10.2019 the Presiding Officer was on leave and no prosecution witness was present and on 29.11.2019 retired Deputy Superintendent of Police was examined and no other prosecution witness was present and now again case stands adjourned for 12.12.2019 for recording the statement of remaining witnesses.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

05.12.2019

Mangal Singh

Whether reasoned/speaking?	Yes
Whether reportable?	No