

CRM-M-11372-2020

Date of decision: 24.06.2020

KANWALJIT SINGH @ KAKA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Sukhjot Singh, Advocate
for the petitioner.

Mr. J.P.Ratra, DAG, Punjab.

VIVEK PURI, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 0007, dated 05.01.2019, under Section 21, 22, 29 of NDPS Act, 1985 registered at Police Station Dharamkot, District Moga.

FIR has been registered against the petitioner and the co-accused, namely Harpreet Singh @ Sunny Gill on the allegations of recovery of 70 grams of Heroine and 1020 tablets of Alprazolam.

It has been pointed out by the learned counsel for the petitioner that the quantity of heroine falls in the category of less than commercial quantity, whereas the quantity of Alprazolam is marginally above the commercial quantity. Furthermore, the arrest of the petitioner was effected on 15.01.2019, the investigation of the case is complete and the challan has already been presented in the Court. So far only 01 out of 10 witnesses have been examined by the prosecution.

Furthermore, similarly placed Harpreet Singh @ Sunny Gill has been granted bail by the Co-ordinate Bench of this Court in terms of order dated

02.03.2020 passed in CRM-M-19471-2019.

Learned State counsel has not been disputed the factual aspect but has only asserted that the petitioner was in fact driving the vehicle which the contraband has been recovered.

May it be so, it remains a fact that the co-accused namely, Harpreet Singh @ Sunny Gill has already been granted bail was also travelling in the car and the case of the petitioner is at par with him.

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

24.06.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No