

210-2

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

**CRM-M No.14437 of 2020
Date of Decision : 19.06.2020**

Kulwant Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Fariad S. Virk, Advocate
for the Petitioner.

Mr. Ajay Pal S. Gill, Dy. Advocate General, Punjab
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail in case FIR No.112, dated 30.10.2019, registered under Sections 21/25/27-A/29 of the Narcotic Drugs and Psychotropic, Substances Act, 1985 (for short, 'the NDPS Act') at Police Station Special Task Force Mohali, District Mohali.

2. Contends that the Petitioner was arrested on 15th December, 2019. There is no record of the Petitioner's involvement in any other case under the NDPS Act, and in any case investigation against him has already been completed.

3. Ld. State Counsel does not dispute the above facts.

4. It transpires that the Petitioner happens to be son-in-law of the main accused, namely Gurpreet Singh, from whose house the contraband in the form of 1 kg Heroin was recovered. Allegation in this regard is that the Petitioner's car was used for carrying the said contraband from Ludhiana to

Sangrur. But it is a matter of record that no actual recovery from the Petitioner's car was ever effected. The alleged recovery from the Petitioner's own conscious possession happens to be 25 grams of Heroin, which is below the commercial quantity.

5. In the totality of all the above circumstances and without commenting upon the other merits of the case, at this stage, this Court is of the opinion that further detention of the Petitioner for an indefinite period is not justified. As such, he is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

6. Disposed off.

June 19, 2020

Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No