

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

**CRM-M-14365-2020 (O&M)**

**Date of Decision: 24.09.2020**

Kuldeep Singh @ Gaggi @ Gaggi

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.**

Present:- Mr.C.S. Rana, Advocate for the petitioner.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

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**TEJINDER SINGH DHINDSA, J. (ORAL).**

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks benefit of regular bail pending trial in case FIR No.117, dated 03.05.2017, under Sections 22/61/85 of the NDPS Act, registered at Police Station Sadar Jagraon, District Ludhiana.

As per prosecution version, the alleged recovery effected from the petitioner is of 150 grams of intoxicant powder and which as per report of the Chemical Examiner was found to be containing the salt of alprazolam.

Learned State counsel would oppose the present petition by submitting that the petitioner is a habitual offender and is involved in two other FIRs under the NDPS Act.

Counsel appearing for the petitioner has met with such objection by submitting that in one FIR i.e. FIR No.19, dated 13.03.2016, under Sections 21 of the NDPS Act, registered at Police Station

Ahmadgarh, the petitioner has already been granted benefit of bail and in the second FIR i.e. FIR No.341, dated 31.08.2017, under Sections 22/61/85 of the NDPS Act, registered at Police Station Sadar Jagraon, a cancellation report stands filed.

During the course of hearing, an order dated 17.05.2017 passed by a Coordinate Bench in CRM-M-13538-2017 has been relied upon and whereby the petitioner therein has been granted benefit of regular bail in FIR No.71, dated 27.06.2016 and in which also the alleged recovery was identical i.e. 150 grams of alprazolam.

For the reasons contained in the order dated 17.05.2017 passed by the Coordinate Bench in CRM-M-13538-2017, prayer made in the instant petition is allowed.

Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

**24.09.2020**

*harjeet*

**(TEJINDER SINGH DHINDSA)  
JUDGE**

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|-----|----------------------------|--------|
| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |