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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-18465-2020

Date of Decision: 24.08.2020

Kuldeep Singh @ Gogri

..... Petitioner

Versus

State of Punjab

..... Respondent

=====
In virtual Court
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CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr.Gopal Singh Nahel, Advocate,
for the Petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.71 dated 27.03.2019 registered under Sections 22, 29/61 of NDPS act, 1985, registered at Police Station Lehra, District Sangrur.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Even, as per case of the prosecution, the alleged recovery from the petitioner is non-commercial quantity. There is no other case against the petitioner. The petitioner is in custody since 9th May, 2019. The petitioner is not required for any recovery. Hence, the petitioner deserves to be released on bail pending trial.

Notice of motion.

Mr.Pawan Sharda, DAG Punjab, accepts notice on behalf of

respondent State.

State counsel, being instructed by police official has submitted that there has been huge recovery from the petitioner as well as from the co-accused. The petitioner was a pillion rider who had run away by throwing the contraband which he was holding with him. Therefore, the petitioner does not deserve any concession of bail. However, it is not disputed that the contraband attributed to the petitioner is only non-commercial quantity and there is no other case against the petitioner.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

24.08.2020
anil

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>