

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

209

CRM-M-4504 of 2021  
Date of Decision: 08.02.2021

**Kamalpreet Singh @ Bablu**

..... Petitioner

**Versus**

**State of Punjab**

..... Respondent

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present: Mr. Randeep Singh Waraich, Advocate,  
for the petitioner.

Mr. Ramdeep Partap, DAG, Punjab

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**AMOL RATTAN SINGH, J. (ORAL)**

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.14, dated 29.03.2019, having been registered at Police Station Kheri Naudh Singh, District Fatehgarh Sahib, alleging therein the commission of an offence punishable under Section 22 of the NDPS Act 1985.

This is shown to be the 4<sup>th</sup> petition filed by the petitioner seeking the concession of bail under the provisions of Section 439 of the Cr.P.C.

Upon query, learned counsel for the petitioner submits that he had first filed CRM-M-23733 of 2019, with him having been granted interim bail pending the receipt of the report of the FSL and after the said report was received,

the petitioner surrendered before the court concerned on February 24, 2020.

Thereafter, he filed CRM-M-18500 of 2020, with that petition having been withdrawn on July 22, 2020, after which he filed CRM-M-28460 of 2020, in which the following order was passed (by this very Bench) on September 23, 2020:-

*“All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.*

*This is the 3<sup>rd</sup> petition filed by the petitioner, seeking the concession of 'regular bail', upon FIR no.14, dated 29.03.2019, having been registered at Police Station Kheri Naudh Singh, District Fatehgarh Sahib, alleging therein the commission of an offence punishable under Section 22 of the NDPS Act, 1985.*

*When this court pointed out that the last petition was dismissed only on 22.07.2020, by a co-ordinate Bench, after arguing for sometime, learned counsel for the petitioner seeks to withdraw this petition.*

*Dismissed as withdrawn.”*

Learned counsel for the petitioner submits that thereafter the petitioner has been in custody about 4½ months, with his total period of custody now being more than 1 year but with the trial still not having actually commenced, though the charge has been framed against the petitioner.

Upon query to learned State counsel, he does not deny, as per his instructions, the period of the custody; and upon further query, he submits that there is one other case registered against the petitioner, also under the provisions of NDPS Act, 1985, in which also he has been admitted to bail.

Simply looking at the period of custody of the petitioner, with no prosecution witness having still been examined, without making any comment on

the actual merits of the case, the petition is allowed, with the petitioner ordered to be admitted to bail to the satisfaction of the trial court/CJM/Duty Magistrate concerned.

**February 08, 2021**  
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**(AMOL RATTAN SINGH)**  
**JUDGE**

|                           |     |
|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether Reportable        | No  |