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

CRM-M-35776-2021

Date of Decision: 06.09.2021

Kulwant Singh @ Kala

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Atul Goyal, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

[1] Due to COVID-19 situation, the Court is convened through video conference.

[2] This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 117, dated 13th July, 2021, under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985, registered at Police Station Koom Kalan, District Police Commissionerate Ludhiana.

[3] The brief facts of the case are that on 13th July, 2021, police party checked one Baljit Singh @ Kala and 6 grams of intoxicating powder was recovered. During investigation, the petitioner was nominated on the basis of disclosure statement stating that accused had purchased powder from the petitioner.

[4] Mr. Atul Goyal, learned counsel for the petitioner submits that it is a case of false implication. The petitioner is in custody since

14th July, 2021 and no recovery is to be made from the petitioner.

[5] Learned State counsel opposes the prayer for grant of bail and files his custody certificate. She submits that petitioner is involved in five more cases.

[6] There is no recovery made from the petitioner and recovery effected from the co-accused is of non-commercial quantity. The name of petitioner was surfaced in the disclosure statement. Petitioner is on bail in other FIRs. Conclusion of trial is likely to take time. The petitioner is granted regular bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

[7] The petition is allowed.

[8] It is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

6th September, 2021

pankaj baweja

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No