

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

DECIDED ON: 6th JULY, 2021

(1) CRM-M-33149 of 2020

Chanan Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(2) CRM-M-2254 of 2021

Kuldeep Singh @ Manak

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Naveen Sharma, Advocate
for petitioner Chanan Singh.

Mr. B.S. Sidhu, Advocate
for petitioner Kuldeep Singh @ Manak.

Ms. Monika Jalota, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference
due to COVID-19 situation.

These are two petitions seeking regular bail in case of FIR
NO. 0299 dated 7.9.2020, under Section 15-B of NDPS Act, registered at
Police Station Lambi, District Muktsar Sahib.

During routine checking on 7.9.2020, Santro Car bearing
registration No. DL-4CR-5278 was checked. The occupants of the car were
Kuldeep Singh @ Manak s/o Joginder Singh, Kuldeep Singh s/o Iqbal
Singh and Chanan Singh. Ten kg of poppy husk was recovered from the
car.

Learned counsel for the petitioners argue that recovery was of non-commercial quantity; investigation is complete; no recovery is to be made and the petitioners are in custody since September, 2020.

Learned State counsel submits that the petitioners were earlier also involved in NDPS cases. She submits that Chanan Singh was convicted in 3 FIRs and is under trial in one of the FIR. Kuldeep Singh @ Manak was involved in 6 more FIRs.

Learned counsel appearing for petitioner-Chanan Singh submits that even in the earlier FIR there was recovery of non-commercial quantity. The petitioner has undergone sentence in three FIRs.

Learned counsel appearing for petitioner Kuldeep Singh @ Manak submits that the petitioner was falsely implicated in the FIRs and out of six, in five cases he was acquitted. He has undergone sentence in the FIR where he was convicted for four months.

The recovery was 10 kg of Poppy husk from the car. The petitioners are in custody for ten months. Investigation is complete and no recovery is to be made. Considering the facts and circumstances of the case in totality, the petitioners are granted bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

6th JULY, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>