

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

**CRM-M-5213 of 2022
Date of Decision:- 16.05.2022**

Pulkit @ Pankaj @ Rubal

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ashish Gupta, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.(Oral)

Prayer is for grant for regular bail to the petitioner in case having FIR No.106 dated 07.05.2019 registered under Sections 22, 29 (Act No.61) of Narcotic Drugs @ Psychotropic Substance Act, 1985, Police Station Mandi Gobindgarh, District Fatehgarh Sahib.

The counsel for the petitioner contended that the petitioner has been falsely implicated in the present case. No recovery was effected from the petitioner who is in custody for the last more than 2 years and 8 months. He further contended that main accused Gurpreet Singh @ Bunty and Jaspreet Singh @ Jassi from whom the

alleged recoveries were effected, have already been granted regular bail by coordinate Bench of this Court vide order dated 12.03.2021, Annexure P-4. He further made prayer that petitioner be also granted regular bail.

The State counsel placed on record status report by way of affidavit of Sukhwinder Singh, DSP, Circle Amloh, District Fatehgarh Sahib. The State Counsel while opposing the present petition, submits that the petitioner is having criminal history and as such, is not entitled to grant of regular bail. However, at the same time, the State counsel admitted that the co-accused from who recoveries were effected, have been released on bail vide order, Annexure P-4, and even the custody period is not disputed by the State counsel.

I have considered the submissions made by counsel for the petitioner as well as by State counsel.

As per the custody certificate furnished by the State counsel, the total custody undergone by the petitioner is more than 2 years and 8 months. As per the status report, the petitioner is facing trial in one another case under NDPS Act, in which he is on bail. The State counsel has admitted that co-accused Gurpreet Singh and Jaspreet Singh have been granted bail vide order dated 12.03.2021, Annexure P-4, on the basis of long incarceration. As per the State counsel no recovery was effected from the petitioner in the present

case. It will take time for conclusion of the trial. So this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is hereby allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

The observations made herein above shall not be construed as an expression of opinion on the merits of the case.

16.05.2022

P. Chawla

**(KARAMJIT SINGH)
JUDGE**

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No