

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

Sr.No.221

CRM-M No.28589 of 2022

Date of Decision: 29th October, 2022

Krishan Kumar @ Sonu @ Kalu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Satnam Singh Gill, Advocate,
for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

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MEENAKSHI I. MEHTA, J. (ORAL)

The petitioner herein seeks the relief of regular bail in the criminal case arisen out of the FIR bearing No.51 dated 23.06.2013 registered at Police Station Kheri Gandian, Patiala, under Sections 18 and 25 of the NDPS Act, 1985, with the allegations that he and his co-accused named Kulwant Singh were found to be carrying 2 kg opium in the Car bearing Registration No.CH01-AJ-9479.

2. Custody-certificate of the petitioner as well as the Reply on behalf of the respondent-State (by way of the affidavit of the Deputy Superintendent of Police, Circle Ghanaur, District Patiala) have been submitted in the Court today and these documents are taken on the record.

3. I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file carefully.

4. Learned counsel for the petitioner contends that the petitioner is behind the bars since i.e 04.08.2021 and the Challan has already been

presented in the Court and the charges have also been framed against the petitioner and moreover, he (petitioner) is not involved in any other criminal case of the similar nature and even otherwise, the quantity of the contraband, as allegedly recovered in the instant case, falls under the category of 'non-commerical/inter-mediate' quantity and in these circumstances, the petitioner deserves the relief as prayed for in this petition.

5. Learned State counsel does not dispute the afore-referred factual position but she opposes the prayer of the petitioner for grant of regular bail on the ground that he had earlier been declared a proclaimed offender in the present case.

6. However, keeping in view the above-discussed facts and circumstances as well as the facts that the trial of the case is likely to take sufficient time to conclude and that no useful purpose will be served by detaining the petitioner in judicial custody any more and without commenting or expressing any opinion on the merits of the case, the petitioner named Krishan Kumar @ Sonu @ Kalu is ordered to be released on regular bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. The present petition stands allowed accordingly.

(MEENAKSHI I. MEHTA)

JUDGE

29.10.2022

seema

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