

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

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**CRM-M No.37099 of 2022
Date of Decision: 29.10.2022**

Malkeet Singh @ Kala Singh

...Petitioner

Versus

State of Punjab

...Respondent

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

Present:- Mr. Kamal Narula, Advocate
 for the petitioner.

Mr. Digvijay Nagpal, AAG, Punjab
for the respondent-State.

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.64 dated 02.06.2021 registered at Police Station Sadar Jalalabad, District Fazilka, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985, with the allegations that he and his co-accused were found to be carrying one polythene packet each, which contained 05 gms 'heroin'.

2. Custody-certificate of the petitioner, as submitted by learned State counsel in the Court today, is 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 the date of his arrest, i.e 02.06.2021 and the Challan has already been presented before the competent Court and the Charges have also

been framed against the petitioner in this case and moreover, the quantity of the contraband, as allegedly recovered from the possession of the petitioner and his co-accused, falls within the category of '*non-commercial*' one and in these circumstances, he (petitioner) deserves the relief as prayed for in the instant petition.

5. Learned State counsel does not dispute the afore-referred factual position.

6. Keeping in view the above-discussed facts and circumstances as well as the fact that the trial of the case is likely to take sufficient time to conclude and without commenting or expressing any opinion on the merits of the case, the petitioner named Malkeet Singh @ Kala Singh 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 petition in hand stands allowed accordingly.

29.10.2022
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(MEENAKSHI I. MEHTA)
JUDGE

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