

CRM-M-42353 of 2022

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

CRM-M-42353 of 2022
Date of Decision: 28.09.2022

Kuldeep Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. A.S. Sidhu, Advocate, for the petitioner.
Mr. G.S. Sandhu, Deputy Advocate General, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate filed in Court today is taken on record.

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.167 dated 09.07.2022 registered under Sections 15, 21, 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib.

Brief facts of the case are that present FIR has been registered on the basis of secret information received against the co-accused persons that they are smugglers and if raid be conducted, then poppy husk, heroin and intoxicant tablets in huge quantity can be recovered. Treating the information reliable, Ruqa was sent and FIR was registered against accused persons. During investigation, petitioner was arrested and from his possession, 56 tablets of Alprazolam were

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recovered, which he was carrying without any permit or license.

Learned counsel for the petitioner contends that the petitioner is innocent. He has been falsely implicated in this case on the basis of disclosure statement of his co-accused, which is a very weak type of evidence. He is not named in the FIR. Nothing was recovered from the conscious possession of the petitioner. Petitioner is not involved in any other case. Petitioner is in custody since 13.07.2022. Conclusion of trial may take a long time. Co-accused of the petitioner, namely, Sukhdev Singh @ Sukha; Charanjeet Kaur @ Kochi and Amarjit Kaur have been granted regular by this Court vide orders dated 01.09.2022 and 02.09.2022. Therefore, no useful purpose would be served by keeping the petitioner behind bars.

On the contrary, learned State counsel opposed the present petition for grant of regular bail to the petitioner.

Keeping in view the facts and circumstances of the case, the fact that petitioner is not involved in any other case, party with his aforesaid co-accused, who have been granted regular bail by this Court and the fact that conclusion of trial may take a long time but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and petitioner-Kuldeep Singh is ordered to be released on regular bail on his furnishing bail bond with one surety of heavy amount to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

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State will be at liberty to file application for cancellation of petitioner's bail, if he is found involved in any other criminal activity during the period of bail.

September 28, 2022
R.S.

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No