

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

**CRM-M-23254-2023
Date of decision : 05.12.2023**

Kuldeep Singh @ Kidda

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Mohit Sadana, Advocate,
for the petitioner.

Mr. C.L. Pawar, Addl. A.G., Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.0026 dated 14.03.2023, under Sections 21 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Moonak, District Sangrur.

2. Allegations are that the petitioner was found in conscious possession of 15 gram heroin without permit or license.
3. This Court granted interim bail to the petitioner on 09.08.2023, in the following manner:-

“ Learned counsel for the petitioner contends that alleged recovery is non-commercial in nature and as a deterrence for the future, petitioner is ready to furnish a bond of Rs. 5 lakh before the learned trial Court.

In view of the above, let petitioner be released on interim bail on this furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

Requisite bond of Rs. 5 lakh as volunteered by the petitioner be furnished within one week.

Posted on 05.09.2023.”

4. Learned counsel for the petitioner contends that recovery against the petitioner is stated to be non-commercial and he was granted interim bail on

09.08.2023 and in pursuance of this order, he has already furnished requisite bond of Rs. 5 lakh before the Court below.

5. Learned State Counsel, on instructions, fairly acknowledges the above factual position.
6. Heard learned counsel for both the sides and perused the paper book.
7. Petitioner was granted interim bail by this Court on 09.08.2023 and he is regularly appearing before the Court below; there is no allegation that he is likely to misuse the concession of bail or hamper the proceedings in any manner, in case his interim bail is made absolute; thus, sending him in custody at this stage would not serve any purpose.
8. Consequently, present petition is disposed off. Interim bail granted to the petitioner, vide order dated 09.08.2023, is made absolute.
9. Petitioner shall appear on each & every date and fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).
10. The above observations may not be construed as an expression of opinion on the merits of the case.
11. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.
12. Pending application(s), if any, shall also stand disposed off.

05.12.2023
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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