

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206/2

CRM-M-36412-2021

DATE OF DECISION: 09.02.2023

MUNISH KUMAR @ MONTY @ MOTI

... Petitioner (s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. L.S. Sekhon, Advocate
for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.13 dated 08.02.2021 (Annexure P-1), under Sections 22 and 29 of the NDPS Act, 1985, registered at Police Station Sadar Sangrur, District Sangrur.

Learned counsel for the petitioner contends that the alleged recovery, which has been effected from the petitioner and co-accused, is of intoxicant substance containing Tramadol with a total weight of 4 kg. The petitioner was riding the motor cycle and the co-accused Umesh Kumar, who was riding pillion with him, had thrown the bag containing Tramadol with a total weight of 4 kg. The petitioner is in custody for over 2 years and he is not involved in any other case under the NDPS Act.

Custody certificate filed by the learned State counsel is taken on record which indicates that the petitioner is in custody for 02 years and 01 day. The petitioner is stated to be not involved in any other case under the NDPS Act. Learned State counsel, upon instructions from ASI Sukhvir Singh, submits that 10 out of 21 prosecution witnesses have been examined. She also

states that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

Heard.

In view of the above, especially when the petitioner is in custody for over 2 years, he is not involved in any other case under the NDPS Act and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

09.02.2023

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No