

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

**CRM-M-18881-2024**  
**Decided on:-26.04.2024**

Kuldeep Kumar @ Dipi ....Petitioner..

vs.

State of Punjab ....Respondent.

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Subhash Kumar, Advocate for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

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**HARKESH MANUJA J. (Oral)**

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.49, dated 06.03.2024, registered under Section 18 of the NDPS Act, 1985, Police Station Sadar Jalandhar, District Jalandhar, wherein, the petitioner has been implicated along with his co-accused for the alleged recovery of 500 grams of “*opium*”.

2. Learned counsel for the petitioner has relied upon order dated 12.04.2024 passed by the Judge, Special Court, Jalandhar, to contend that one of the co-accused of the petitioner, who were travelling along with him in the same car has already been granted the concession of regular bail, thus, he prays for grant of concession of regular bail.

3. On the other hand, prayer made herein has been opposed at the instance of learned State counsel while submitting that the custody period is

too less.

4. I have heard learned counsel for the parties and gone through the paper book and find substance in the submissions made on behalf of the petitioner.

5. In the present case, the recovery involved is non-commercial in nature and no other case under NDPS Act is registered against the petitioner, who is behind the bars for the last one & half month and trial is likely to take some time. Moreover, the co-accused of the petitioner, namely, Inderjit Singh @ Monu has been granted the concession of regular bail by the Judge, Special Court, Jalandhar vide order dated 12.04.2024.

6. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

8. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

26.04.2024  
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**(HARKESH MANUJA)**  
**JUDGE**

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