



CRM-M- 32888-2024 (O&M)

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

**CRM-M- 32888-2024 (O&M)
Date of Decision: 18.07.2024**

MANPREET SINGH ALIAS KUKKU

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Tanvir Singh Attariwala, Advocate
for the petitioner.

Ms. Avneet, AAG, Punjab.

GURBIR SINGH, J (ORAL)

1. The present second petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No. 35 dated 30.05.2023 under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 25 of Arms Act, 1959 registered at Police Station Mehal Kalan, District Barnala, Punjab.



2. Learned counsel for the petitioner submits that petitioner is in custody since 30.05.2023. As per the allegations, the petitioner was sitting on the rear seat of the car and the recovery of intoxicating powder weighing 140 grams, 02 pistols, .32 bore and 10 live cartridges, .32 bore was effected from dashboard of the car. Learned counsel submits that the recovered contraband does not fall under the commercial quantity and the co-accused Mauli Bobby Singh alias Khalsa, who was driving the car, has already been granted the concession of regular bail by this Court vide order dated 12.10.2023 passed in CRM-M-50727-2023 (Annexure P-3).

3. Learned State counsel submits that the custody certificate is not received from the concerned Jail. Even though learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature. Ld. State counsel has fairly admitted that the petitioner is in custody since 30.05.2023 and has undergone a period of more than one year.

4. Heard.

5. Further, since nothing has been recovered from the conscious possession of the petitioner and recovery has been effected from the dashboard of the car. The recovery of contraband is of non-commercial quantity. The co-accused has already been granted concession of regular bail and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars. Accordingly, without



commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Trial Court/Duty Magistrate, concerned.

6. Nothing stated herein above be construed as a final expression of opinion on the merits of the case and the Trial Court would proceed independently of the observations above, which have only been made for the purpose of adjudication of the present petition for grant of regular bail.

18.07.2024
Seema

(GURBIR SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>