

235 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

2024.PHHC.120951



CRM-M-44405-2024

Date of Decision: 13.09.2024

KULWANT SINGH ALIAS KANTA  
Vs.

...Petitioner

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Anosh Samson, Advocate for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

**HARKESH MANUJA, J. (Oral)**

This is the second petition filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner in case bearing FIR No. 370 dated 23.11.2022 under Section 22/61/85 NDPS Act, registered at Police Station, Dera Bassi, District SAS Nagar, wherein the petitioner has been implicated with the allegations of alleged recovery of 10,800 tablets of Alpranof 0.5 containing Alprazolam.

3. The prayer made on behalf of the petitioner has been opposed by learned State counsel while referring to the serious nature of allegations levelled against him and his antecedents as he happens to be involved in five more cases including two under the NDPS Act.

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

5. In the present case, investigation already stands concluded with the filing of challan followed by framing of charges on 21.07.2023.

Petitioner is though involved in two other cases of similar nature, but



behind the bars for the last about 01 year 09 months 16 days. As regards involvement of the petitioner in other cases, he is on bail in two cases; whereas in other two cases sentence has already been undergone by him and in one case he has completed his sentence.

6. Considering the fact that the petitioner has already suffered incarceration for a period of 01 year 09 months 16 days and the trial is likely to take sometime in its culmination, I do not find any justification to extend the incarceration of the petitioner.

7. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

8. Nothing expressed hereinabove shall be construed to be an opinion on the merits of the case.

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

**13.09.2024**

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*Whether speaking/reasoned* : *Yes/No*

*Whether reportable* : *Yes/No*