

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-61846-2023

Date of Decision: February 20, 2024

KULDEEP SINGH ALIAS DEEPPetitioner

Versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rishu Garg, Advocate for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 199 dated 09.09.2023 registered under Section 21 of NDPS Act, at P.S. City Moga, District Moga wherein, the petitioner has been implicated against the alleged recovery of 5 grams of heroin.
2. The prayer made herein has been opposed at the instance of learned State counsel while referring to the antecedents of the petitioner who is involved in three more cases involving Excise Act, NDPS Act and one under Section 325 of IPC.
3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

4. In the present case, investigation already stands concluded with the filing of challan on 01.02.2024 and the recovery in the present case is of small quantity. Considering the fact that the petitioner is already behind the bars for a period of more than 5 months by now and he already stands acquitted in the case registered under the provisions of NDPS Act against him, this Court does not find justification to extend his incarceration any further.

5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, 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 learned trial Court/Duty Magistrate.

20.02.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

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