

Kuldeep Singh Vs. State of Punjab

Present Counsel for applicant-accused.
Sh. Amarjit Singh, Addl. PP for the State.

Present bail application has been filed under Section 439 Cr. P. C. in FIR No. 145 dated 03.07.2018 under Section 18/61/85 NDPS Act.

2. Tersely put, as per the version of the prosecution, on 03.07.2018 when the police officials were on patrolling, then a secret information was recovered by the IO that Kuldeep Singh (present applicant) and Harpreet Singh are indulged in the illegal business of selling Opium and today also both the accused are traveling in a Car bearing no. PB08-CZ-8260 and are coming from Army Cantt. Jalandhar and if the naka is laid then both the accused could be apprehended red handed. Then naka was conducted and above said vehicle was stopped and during the search of accused persons 250 grams of Opium was recovered from the conscious possession of the Kuldeep Singh, who was driving the car, however, nothing has been recovered from the co-accused Harpreet Singh. Thus, the present FIR has been registered against the accused persons.

3. It is contended by the counsel for applicant that accused-applicant is innocent and has been falsely implicated in this case. He is in custody since 03.07.2018 and he is no more required for the custodial interrogation. Moreover, his co-accused has already been admitted to bail.

No useful purpose will be served by keeping the accused behind the bar and prayer has been made to admit him on bail.

4. Whereas on the other hand Ld. PP for the State has opposed the bail application and prayed for its dismissal.

5. After having heard the respective contentions of both the sides and having gone through the record carefully, it is found that present bail application deserves acceptance. Accused-appellant is in custody since 03.07.2018 and his presence is no more required for further investigation as challan has already been presented but conclusion of trial will take sufficient time. Thus, no useful purpose will be served by keeping him in custody for indefinite period. Moreover, his co-accused has already been admitted to bail. Thus, keeping in view the facts and circumstances of the case the present application is allowed and accused-appellant is admitted to bail and he is directed to furnish personal bonds in the sum of Rs. 50,000/- with one surety in the like amount. Record of this court be tagged with the main file.

Pronounced:30.08.2018

**(Karunesh Kumar)
Addl. Sessions Judge,
Jalandhar./(UIDPB0082)**

Shilpi Rai