

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

CRM-M-16559-2015

Date of decision: 27.05.2015

Gurinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Malkeet Singh, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.10 dated 15.07.2014 under Sections 21, 25, 29 of NDPS Act and Sections 489(A) (B) (C), 420, 120-B IPC and Sections 15 & 16 of the Prevention of Unlawful Activities Act, registered at Police Station Special Operation Cell, District Amritsar.

Notice to Advocate General, Punjab.

Mr. K.D. Sachdeva, Addl. AG, Punjab accepts notice.

Learned counsel for the petitioner submits that nothing was recovered from the petitioner. Neither the alleged contraband nor alleged fake currency but the same were recovered from co-accused of the petitioner. He had no role to play and has been falsely implicated in the present case. Even the motorcycle which was recovered from the co-accused of the petitioner, also does not belong to the petitioner. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Jagjit Singh, Police Station Special Operation Cell, District Amritsar, submits that during investigation, active participation of the petitioner was very much established. He further submits that in fact, co-accused of the petitioner were working at the instance of petitioner and in connivance with each other. Learned counsel for the State would next contend that challan has already been presented and charges have also been framed. Prosecution evidence is going on. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and keeping in view the peculiar facts and circumstances of the case noticed hereinabove, this Court is of the considered opinion that the petitioner has not been found entitled for the concession of bail pending trial. It is so said because the allegations are serious in nature. A huge and commercial quantity of contraband has been recovered, though from the co-accused of the petitioner. Similarly, huge amount of fake currency was also recovered from co-accused of the petitioner. Active participation of the petitioner has been established during the course of investigation. Because of these allegations, petitioner is not entitled for bail pending trial.

At this stage, learned counsel for the petitioner submits that he does not intend to press this petition any further and the same may be dismissed as not pressed, at this stage.

Ordered accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

27.05.2015
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