

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

**CRM M-7951 of 2015  
Date of Decision: 30.03.2015**

**Navpreet Singh @ Nav**

**.....Petitioner**

**Vs.**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH**

**Present:- Mr.Sagar Aggarwal, Advocate for the petitioner.**

**Mr.Gazi Mohammad, DAG Punjab.**

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**R.P. NAGRATH, J. (ORAL)**

Petitioner seeks regular bail under Section 439 Cr.P.C. in FIR No.202 dated 13.12.2013 for offence under Sections 21 and 29 of NDPS Act, 120-B of IPC and 25 of the Arms Act, registered at Police Station, Maqsudan, Jalandhar, District Jalandhar.

This FIR was registered on the basis of secret information that the petitioner who was the prisoner in the instant FIR was running a gang of drug peddling found in jail by using mobile phones along with another jail inmate Baljeet Singh. The police party conducted raid on the basis of information and Amritpal Singh was arrested from the bus and recovered heroin from his possession. So far as, petitioner is concerned, it is stated that he was making contact for supply of heroin to the other jail inmates and mobile phone was recovered from him by the police.

I have heard learned counsel for the petitioner and learned State counsel and perused the paper book.

No recovery of drug was made from the petitioner in the instant case. However, there is call data obtained from the service provider with regard to the recovery of mobile phone but the petitioner and others have been acquitted in Challan No.13 of 26.02.2014 in FIR No.204 of 14.12.2013, under Section 42 of Prisoners Act, Police Station Kotwali Kapurthala, on 23.12.2014 by the learned Judicial Magistrate. A copy of the same is annexed as Annexure P-1.

It has been observed by the learned trial Court in the judgment Annexure P-1 that there was no evidence of the recovery of the mobile phones from the petitioner. There was a similar allegation against Head Constable, Ajmer Singh, who was posted as Head Constable in Modern Jail, Kapurthala to be involved in the drug mafia along with these person. Since no recovery was made from HC Ajmer Singh, he was granted bail in the instant FIR in CRM-M No.12595 of 2014.

Petitioner is in custody since 13.12.2013. Therefore, without commenting on the merits of the case, the instant petition is allowed and the petitioner be admitted to bail on furnishing fresh bail bonds to the satisfaction of the trial Court.

Allowed in the above terms.

**(R.P.NAGRATH)**  
**JUDGE**

**30.03.2015**  
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