

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-37123-2016(O&M)  
Date of Decision: December 07, 2016

Sukhjeet Singh

.....Petitioner

Versus

Gurnam Singh

.....Respondent

**CORAM: HON'BLE MR.JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

- |    |                                                                       |         |
|----|-----------------------------------------------------------------------|---------|
| 1. | To be referred to the Reporters or not?                               | Yes/No  |
| 2. | Whether the judgment should be reported in the Digest?                | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No  |

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Present: Mr.Gautam Dutt, and Mr.Sandeep Wadhawan, Advocates  
for the petitioner.

Ms.Ranjana Shahi, Advocate  
for the respondent.

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**SURYA KANT, J.**

Petitioner seeks his release on regular bail in the complaint case bearing COMA No.1/2015 dated 02.03.2015 titled as 'Gurnam Singh, Deputy Director, Directorate of Enforcement versus Anup Singh Kahlon and others', filed under Section 45(1) of the Prevention of Money Laundering Act 2002, presently pending in the Court of learned Sessions Judge at Patiala.

[2] The above-stated complaint has originated out of various FIRs registered by Punjab Police under the Narcotics Drugs and Psychotropic Substances Act, 1985 (for brevity, 'the NDPS Act'), where a huge quantity of contraband, synthetic drugs and illicit money was alleged to have been recovered from the suspects. Petitioner is also an accused in one of the such

22/25A/27A/29/61/85 of the NDPS Act and 420, 467, 468, 471 IPC, registered at Police Station Fatehgarh Sahib. In the above-stated FIR, name of the petitioner surfaced during interrogation of Devinder Singh @ Happy, who was arrested alongwith the vehicle in which some contraband was allegedly recovered.

[3] The petitioner was arrested on 21.05.2013 in the NDPS case. A raid was conducted at his residence, where one SUV Fortuner and two cars were found parked out of which 2 ½ kg opium, 500 grams intoxicant powder and 1 kg pseudo-Ephedrine were allegedly recovered. Petitioner statedly also made a disclosure statement which led to recovery of further contraband.

[4] The petitioner has his own version. He claims that he and his wife were actively involved in politics and since his wife was contesting elections of Block Samiti as a candidate of opposite party, that he was falsely implicated in the case.

[5] It may also be noticed that the petitioner served as a Constable in Punjab Police. He absconded from duty and went to Canada from where he came back in the year 1999.

[6] In the NDPS case, we have already released the petitioner on bail vide order dated 05.10.2016 passed in CRM-M-24594-2016 (Annexure P10).

[7] We have heard learned counsel for the parties.

[8] It may be true that the allegations levelled against the petitioner are quite serious but the same are subject matter of judicial scrutiny by the learned Special Judge. There is no other NDPS case registered against the petitioner. There was one criminal case earlier in which the petitioner was

suspected to be involved but he has already been acquitted. He has spent

more than three years in custody in both the cases.

[9]           Petitioner's statement in the instant complaint case has already been recorded on 10.06.2014 and again on 08 to 11.01.2015. Since conclusion of the complaint trial is likely to take some time it appears that no useful purpose shall be served by keeping the petitioner in custody.

[10]           For the reasons aforestated and without expressing any opinion on the merit, this petition is allowed. Petitioner is directed to be released on bail subject to his furnishing bail bonds to the satisfaction of leaned Special Judge at Patiala. He shall deposit his original passport and shall continue to report to the Investigating Officer of Enforcement Directorate having jurisdiction in the case in hand once a week and shall not make any attempt to transfer or create third party rights in the assets which have already been attached with the Directorate of Enforcement.

**( SURYA KANT )  
JUDGE**

**December 07, 2016**  
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**( SUDIP AHLUWALIA )  
JUDGE**

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|----|-----------------------------|--------|
| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ?        | Yes/No |