

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-40759-2015.

Decided on: January 5, 2016.

Sarabjit Singh

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

\* \* \*

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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PRESENT Mr.V.K.Jiindal, Advocate,  
for the petitioner.

Ms.Harpreet Kaur Athwal, DAG., Punjab.

M.M.S. BEDI, J. (ORAL)

Petitioner seeks concession of regular bail in a case registered at the instance of Inspector Inderjit Singh on the basis of secret information. Co-accused Parmod Kumar and Kashmir Singh were intercepted at a Naka. They were found in possession of heroin being members of a gang involved in selling of intoxicated drugs.

So far as the petitioner is concerned, he is not named in the FIR. He has been involved in the case on the basis of statement of his co-accused Kuldeep Singh @ Nanak who suffered a confessional statement that he along with petitioner and others got sold 4 packets of heroin to the smugglers outside the jail after contacting them on phone on asking of Harwinder Singh.

After hearing the counsel for the petitioner and the State counsel, it transpires that no recovery has actually been effected from the petitioner. The recovery of 10 kgs. 10 gms. of heroin was allegedly effected from the possession of co-accused namely Parmod Kumar, Kashmir Singh, Harwinder Singh and Rattan Singh along with a sum of Rs.14 lacs and one Mohindra Tractor and a motorcycle. The petitioner was already in custody in another case when he was involved in this case by getting production warrants on 14.1.2014. The petitioner has been granted the concession of bail in three other cases in which he was involved while he is in custody as

he has been convicted in another case. The petitioner in said circumstances can be granted the concession of bail in this case under FIR No.3 dated 3.1.2014, under Section 21 of the NDPS Act, registered at Police Station, City, District Tarn Taran.

The petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court without prejudice to the rights of the State in other case/cases in which the petitioner is in custody.

**(M.M.S. BEDI)**  
**JUDGE**

**January 5, 2016.**  
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