

CRM-M-6753-2016

Date of Decision : 26.04.2016

Gurbinder Singh @ Binder

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Vipul Jindal, Advocate
for the petitioner.

Mr. Jashanpreet Singh, A.A.G, Punjab.

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

On the basis of secret information received by the police regarding seven accused having entered into conspiracy with each other and formed a gang for supplying and carrying intoxicating substances, illegal arms, a *Nakabandi* having been laid, 13 kgs of heroin along with two pistols, two revolvers and six cartridges etc. were recovered from co-accused Gurjit Singh. On the basis of disclosure statement of Gurjit Singh, Amandeep Singh was arrayed as an accused and was arrested along with 11 kgs of heroin.

So far as the petitioner is concerned, he was not named in the FIR or the secret information but he was arrested on the basis of disclosure statement of above said Amandeep Singh.

On the instructions of ASI Sukhdev Singh, it has been informed that petitioner has been arrayed as an accused for abetment of the crime and has been charged under Section 29 of NDPS Act.

Taking into consideration the nature of the allegations

against the petitioner regarding abetment and the quantum of lesser punishment as per the provisions under Sections 109 and Section 116 of the Indian Penal Code, the petitioner can be granted the concession of bail.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that petitioner will not indulge in any activity under Section 21, 25 or 29 of the NDPS Act during pendency of the trial. In case of petitioner indulging in any activity, it will be open to the prosecution agency to seek cancellation of bail.

(M.M.S. BEDI)
JUDGE

26.04.2016
Neha