

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-2602-2017 (O&M)

Date of Decision: 06.03.2017

Rajinder singh @ Mintu

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE SUDIP AHLUWALIA

Present: Mr. Vishal Deep Goyal, Advocate for the petitioner

Ms. Reeta Kohli, Addl. AG Punjab with
Mr. Hanspal S Virk, AAG Punjab

SURYA KANT, J. (Oral)

(1) The petitioner seeks his enlargement on regular bail in the case FIR No.50 dated 03.04.2013 u/s 22,29/61/85 of NDPS Act, u/s 25/54/59 of Arms Act & u/s 489 IPC registered at Police Station Urban Estate, District Patiala.

(2) As per the version in FIR, Inspector Dharam Dev, SHO, Police Station Urban Estate, Patiala received a secret information on 03.04.2014 whereupon he went along with police party for checking of bad elements. Pursuant to the information, Parwinder Singh @ Pinka and his associates were reported to be involved in supplying/selling drugs and other narcotics substances in the University, Colleges and other educational institutions in District Patiala, Chandigarh and various other Districts. Parwinder Singh @ Pinka and four of his associates were arrested. The petitioner was also found to be a member of the gang and he too was arrested. The narcotics substance of commercial quantity is alleged to have been recovered pursuant to the disclosure statement made by the petitioner/his associates. The petitioner was arrested on 01.11.2013 and is in custody since then.

(3) State of Punjab has opposed the petitioner's prayer. The Deputy Superintendent of Police (City-2), Patiala has filed affidavit-cum-status report dated 03.03.2017 wherein it is mentioned that the petitioner is involved in multiple criminal cases including in (i) FIR No.38 dated 01.04.2013 u/s 302, 307, 392, 353, 186, 109 IPC; u/s 25/54/59 of Arms Act, Police Station Sadar Phagwara, District Kapurthala. As per the version of the said FIR, the petitioner and his co-accused murdered a police officer when he attempted to catch hold them; (ii) FIR No.87 dated 01.11.2013 u/s 25/54/59 of Arms Act & u/s 473 IPC, PS Sadar Rajpura, District Patiala; (iii) FIR No.180 dated 22.07.2009 u/s 21/22/61/85 of NDPS Act, PS Focal Point, Ludhiana.

(4) Reference is also made to some other criminal cases in which the petitioner has since been acquitted.

(5) Having heard learned counsel for the petitioner and taking into consideration the petitioner's involvement in more than one criminal case including of heinous crimes as well as more than one case under the NDPS act, we are satisfied that the rigors of Section 37 of NDPS Act are fully attracted and the petitioner cannot be released on bail at this stage.

(6) Dismissed.

(Surya Kant)
Judge

06.03.2017
vishal shonkar

(Sudip Ahluwalia)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes
No