

CRM-M-48640-2018

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

CRM-M-48640-2018

Date of Decision: 16.11.2018

Gagandeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ashok Paul Batra, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.04 dated 04.08.2017, registered at Police Station STF, Phase-IV, S.A.S.Nagar, Mohali, under Sections 365, 384, 419, 489 and 120-B of IPC, Sections 21 and 29 of the NDPS Act, 1985, Sections 7, 13(2) and 8 of the PC Act, 1988.

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that the present petitioner is named in the FIR. The allegation against him is that he was a member of the

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police party headed by SI Sushil Kumar and the police officials had impersonated themselves as Members of STF, Fazilka and they apprehended one Narinder Singh, who was carrying 300 grams of heroin as per the secret information. They had taken ₹8 lakhs from him and heroin has been distributed between them.

As per the prosecution version, ₹89,000/- has been recovered from the present petitioner. The petitioner has been in custody since 04.08.2017. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

16.11.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No