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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision:- 18.9.2018.

- (1) CRM-M-5503-2018 (O&M)
Amandeep SinghPetitioner.
- Versus
- State of Punjab and anotherRespondents.
- (2) CRM-M-19520-2018 (O&M)
Gurpreet Singh @ GopiPetitioner.
- Versus
- State of PunjabRespondent.

CORAM: - HON'BLE MR. JUSTICE KULDIP SINGH.

Present: - Mr. M.S. Chauhan, Advocate for
Mr. R.S. Bains, Advocate for the petitioner
(CRM-M-5503-2018)

Mr. Ashish Verma, Advocate for the petitioner
(CRM-M-19520-2018)

Mr. Saurav Khurana, DAG, Punjab.

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KULDIP SINGH, J.

This order shall dispose of above mentioned two petitions i.e. *CRM-M-5503-2018* and *CRM-M-19520-2018* as in both the petitions petitioner seeks regular bail under Section 439 of the Criminal Procedure Code in case FIR No. 22 dated 15.9.2017 under Sections 364, 382, 386, 387, 212, 216, 216-A, 414, 416 and 120-B of the Indian Penal Code and further under Sections 21, 25, 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985 and 25 of the Arms Act, 1878 in CRM-M-19520-2018 registered at Police Station State Special Operation Cell, Amritsar, Punjab.

Heard.

Learned counsel for the petitioner in submits that in CRM-M-5503-2018, challan has been presented and accordingly Sections 21, 25, 29, 61 and 85 of the NDPS Act as well as Section 25 of the Arms Act has been omitted.

Petitioner-Gurpreet Singh @ Gopi son of Lakhwinder Singh is resident of Baba Deep Singh Avenue, Fatehgarh, Churian Road, Amritsar. As per allegations in the FIR, Amandeep Singh son of Raj Pal Singh along with others, who are the resident of U.P. are operating a gang and that Gurpreet Singh @ Gopi was one of the associates. They were allegedly involved in the drug smuggling, extortion, kidnapping for ransom etc.

Both the petitioners were arrested on 15.9.2017 and are in custody since then.

Learned State counsel, on instructions from ASI Malkeet Singh, submits that challan has been presented under Sections 364, 382, 386 387, 212, 216, 216-A, 414, 416, 120-B IPC and under Section 42 of the Prisons Act, 1894.

On the specific query from this Court, learned State Counsel has informed that no other case is pending or decided against the petitioners. The allegations against them are general in nature. Petitioners are in custody for about one year and case is still at the stage of framing of the charges.

It is further submitted that earlier Amandeep Singh-petitioner was released on medical grounds showing that he is suffering from some disease.

The culpability of the petitioners is yet to be decided, therefore, without going into the merits of the case(s), there is no ground for further detention of the petitioners i.e., accordingly, both the petitions are allowed and petitioners i.e. Amandeep Singh and Gurpreet Singh @ Gopi are ordered to be released on bail on their furnishing personal bonds in the sum of Rs. 1.00 lacs with one surety of the like amount the satisfaction of the trial Court. on the following terms and conditions: -

- (1) Petitioners shall surrender their passports before the trial Court if any and shall not leave the country without prior intimation to the Court;
- (2) Petitioners shall not directly or indirectly give any inducement or threat to any witness and
- (3) Petitioners shall attend the Court on each and every date of hearing and in case of their absence, trial Court shall be competent to cancel their bail.

Both the petitions are allowed accordingly.

A photocopy of this order be placed on the connected file.

18.9.2018
preeti

(KULDIP SINGH)
JUDGE

whether speaking/reasoned	yes
whether reportable	no