

S.No.220

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

CRM-M-12279 of 2019 (O&M)

Date of Decision:25.03.2019

Navdeep SinghPetitioner

Vs.

State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. J.S. Thakur, Advocate
for the petitioner.

Mr. P.S. Walia, AAG, Punjab.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.151 dated 23.09.2018 registered under Section 21 of NDPS Act at Police Station Bhoghpur, District Jalandhar Rural.

Learned counsel for the petitioner contends that the case against the petitioner is totally concocted. The case has been fabricated against the petitioner on the alleged disclosure statement of co-accused from whom 300 grams of heroin was recovered when he was travelling in a car. It is submitted by the counsel that the petitioner has nothing to do with the said co-accused. The said car also does not belong to the petitioner. The petitioner is in custody since 06.10.2018 in this case. It is further submitted that there is no other case against the petitioner under the NDPS Act. Challan has already stands filed. Therefore, the petitioner is not required for any investigation purposes.

On the other hand, learned Counsel for the State, on instructions from ASI Sarvan Singh, submits that the co-accused has named

the present petitioner as supplier of the said heroin. He has named the petitioner as the person who is professionally involved in the sale and purchase of heroin. However, it is not denied that the petitioner is in custody since 06.10.2018 and that the car does not belong to the petitioner. It is also not denied that there is no other case against the petitioner.

In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

March 25, 2019	(RAJBIR SEHRAWAT)
renu	JUDGE
Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No