

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-46763-2018 (O&M)

Date of Decision:- 24.1.2019

Narinderpal Singh @ Nandu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. L.S.Sidhu, Advocate, for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of FIR No.78, dated 25.7.2018, registered at Police Station Fattu DHINGA, District Kapurthala, under Sections 22/29 NDPS Act and Sections 399 and 402 IPC.
2. It is the case of prosecution that a secret information was received by the police to the effect that Harshdeep Singh @ Arsh, Sukhwinder Singh @ Jugnu, Lakhwinder Singh, Nusrat Ali @ Ali, Amarjit Singh @ Pappu, Manpreet Singh @ Mani and Narinderpal Singh @ Nandu are into business of intoxicants and also indulged in looting and robbing and also have illegal arms with them. The information was

further to the effect that on that day Arshdeep Singh @ Arsh, Sukhwinder Singh @ Jugnu, Lakhwinder Singh and Manpreet Singh @ Mani along with two unknown persons have assembled together and were preparing to loot a liquor vend and a petrol pump while sitting at an abandoned brick kiln, built on panchayat land in village Jhugia Gulam and were having intoxicants with them. Pursuant to receipt of the said information, a raid was conducted and Arshdeep Singh @ Arsh, Sukhwinder Singh @ Jugnu, Lakhwinder Singh and Manpreet Singh @ Mani were arrested at the spot. Manpreet Singh @ Mani was found to be in possession of a 'datar' and 2 intoxicant injections and 30 intoxicant tablets, Arshdeep Singh @ Arsh was found in possession of 21 intoxicant injections and 310 intoxicant tablets and one 'kirpan', Sukhwinder Singh @ Jugnu was found in possession of 23 intoxicant injections and 320 intoxicant tablets and Lakhwinder Singh was found in possession of 31 intoxicant injections and 280 intoxicant tablets and a 'stick'. The present petitioner was not arrested at the spot and is stated to have run away. It was subsequently when he was arrested in connection with another case, i.e. FIR No.79, dated 26.7.2018, registered at Police Station Fattudhinga, under the NDPS Act, that he disclosed that he was involved in the present case as well and a 'datar' was recovered.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the only evidence against him is that of recovery of 'datar'.

4. Learned State counsel while opposing the bail application submits that the present petitioner was present along with four other persons and was planning to commit a robbery, and as such no case for grant of bail is made out.
5. Having considered rival submissions addressed before this Court and bearing in mind the fact that the petitioner was not arrested at the spot and is presently behind bars since last about six months, in my opinion, no useful purpose would be served by further detaining him behind bars. The petition, as such, is accepted and petitioner-Narinderpal Singh @ Nandu is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.
6. This petition stands accepted accordingly.
7. It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.

January 24, 2019
mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No