

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-33548 of 2019

Date of Decision: September 13, 2019

Satnam Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU.

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Present:- Mr.Swapan Shorey, Advocate for the petitioner.
Mr.V.G.Jauhar, Sr. DAG, Punjab.

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MAHABIR SINGH SINDHU, J.

Prayer in this petition Section 439 Cr.P.C. is for grant of regular bail pending trial to the petitioner in case FIR No.1 dated 12.02.2019 under Sections 15/18/21/25/29 NDPS Act, 1985 and under Section 25 of the Arms Act, 1959, registered at Police Station SSOC, District Amritsar.

As per the case of the prosecution, SI Sukhwinder Singh, received a secret information that Dalbir Singh @ Babla, Satnam Singh @ Mani @ Garja and Raghu are indulged in the smuggling of narcotics and selling country-made arms in the area of Amritsar as well as snatching. On the receipt of information, a naka was held and accused were apprehended along with I-20 car bearing Registration No. PB02-CS-8767, two pistols of .32 bore, 9 live cartridges, 50 grams of Heroin and drugs money of Rs.2,08,000/-.

Contends that no recovery of any contraband was effected from the petitioner. Also contends that Daljit Singh, who is the main accused, from whom contraband along with two pistols of .32 bore along with drug money of Rs.2.08 lacs was recovered has already been granted bail by learned Additional Sessions Judge, Amritsar.

The above factual position is duly acknowledged by learned State counsel, on instructions from Si Nirmal Singh.

Heard both sides and perused the paper-book.

It is very unfortunate that despite recovery of considerable drug amount along with weapons i.e. two pistols of .32 bore and 50 grams heroin from co-accused Daljit Singh, he was granted bail pending trial by the learned Additional Sessions Judge, Amritsar, but the State of Punjab has not taken any further action in the matter till date.

Since the main accused has already been granted the concession of bail by learned Additional Sessions Judge, Amritsar and there is no recovery of any contraband from the petitioner, therefore, this Court is left with no option but to allow the present petition by granting bail pending trial to the petitioner.

Consequently, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

It is made clear that in case, there is any recurrence on the part of the petitioner, the State would be at liberty to move an application for recalling of this order.

Copy of this order be communicated to Assistant Inspector General of Police (Intelligence), Amritsar.

September 13, 2019
sanjay

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/ reasoned:	Yes/ No.
Whether Reportable:	Yes/No.