

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

**CRM-M No. 37022 of 2019
Date of Decision:-27.09.2019**

Jasveer Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Inder Pal Singh, Advocate
for the petitioner.

Mr. Balbir Singh Sewak, Addl. A.G., Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Jasveer Singh has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 23 dated 09.04.2019, under Section 21/25/29 of NDPS Act and under Section 25/54/59 of Arms Act, registered at Police Station Special Task Force, District SAS Nagar Mohali.

As per allegations contained in the FIR, accused Sonu and Davinder were arrested and heroin weighing 01 kilogram and 10 grams was recovered from their possession, which was being carried by them in i20 car bearing registration No.PB02-DK-7571. A countrymade 32 bore revolver alongwith three live cartridges was also recovered from their possession.

During investigation, it has come in the disclosure statements of the accused persons that they had brought the heroin from accused Jasveer (petitioner).

Learned counsel for the petitioner contends that the alleged recovery of heroin was recovered from two accused persons, namely, Sonu and Davinder Singh, and on the statement of said accused, the petitioner was indicted as an accused on the ground that the said contraband was purchased from the petitioner Jasveer. Learned counsel further contends that on the date of said recovery, the petitioner was already in custody in FIR No.78 dated 13.3.2019, under Section 25/54/59 of Arms Act, registered at Police Station Falour, District Jalandhar. According to learned counsel after investigation the final report stands submitted before the Court on 18.4.2019 and the trial will take considerable time in its conclusion, therefore, no useful purpose would be served by keeping the petitioner behind the bars.

On the other hand, the prayer is opposed by learned State counsel, who is assisted by SI Jaspal Singh on the ground that the petitioner is involved in other cases of similar nature as well as in case pertaining to the offence punishable under the Arms Act. However, it is not disputed that the recovery was effected from co-accused Sonu and Devender Singh.

Considering the above and the fact that trial of the case is likely to consume considerable time, further custody of the petitioner may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail

subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court SAS Nagar Mohali.

The petition is allowed.

September 27, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No