

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

**CRM-M-37131-2019
Date of decision: 18.12.2019**

Ranjodhanbir Singh @ Jodhan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 40 dated 02.07.2019, registered under Sections 21/29 of the NDPS Act, 1985 at Police Station Kacha Pacca, District Tarn Taran.

Learned counsel for the petitioner relies upon order dated 16.12.2019 passed in CRM-M-52594-2019, vide which co-accused Chandpreet Singh @ Chandi has been granted concession of regular bail by this Court. The operative part of the order reads as under:

“Learned counsel for the petitioner submits that as per allegations in the FIR, the police party stopped a motorcycle, whose registration number plate was missing, upon which three boys were riding. Two persons were caught at the spot, whose names are Jaswinder Singh @ Harpreet Singh @ Happy and Subhampreet Singh @ Shub and third person, who ran away from the spot, was Gurjant Singh @ Janta. It is further submitted that from two persons, 310 grams of

heroin was recovered and thereafter, on the basis of disclosure statement of co-accused, name of the petitioner surfaced. Learned counsel further submits that the petitioner is in custody since 01.09.2019; he is not involved in any other case and challan stands presented. Learned State counsel, on instructions from HC Rajpal, has not disputed the factual position. Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.”

Learned counsel for the petitioner further submits that even the petitioner was not named in the FIR and his name surfaced on the disclosure of one of the co-accused.

It is further submitted that petitioner is not involved in any other case under the NDPS Act and he is in judicial custody for the last about four months.

Learned State counsel, on instructions from ASI Kulwant Singh and on the basis of the custody certificate filed today in Court, has not disputed the fact that petitioner is not involved in any other case under the NPDS Act and he was nominated on the disclosure statement of co-accused.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last about four months; co-accused has already been granted concession of regular bail as noticed above; petitioner is not involved in any other case and also in view

of the fact that conclusion of trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety to the satisfaction of the trial Court/Duty Magistrate concerned.

18.12.2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No