

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

227

CRM-M-45000-2019(O & M)
Date of Decision:29.10.2019

Kabal Singh @ Hathora

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.23 dated 09.04.2019, under Sections 21, 25, 29 of the NDPS Act, 1985, and under Section 25 (Act No.54 of 1959) of Arms Act, 1959, registered at Police Station Special Task Force, District SAS Nagar, Mohali.

The FIR was recorded on the basis of secret information that two persons namely Sonu and Davinder Singh @ Bholu were doing the business of heroin on large scale and if a check post is set up those persons can be apprehended with heavy quantity of heroin. Upon this, police laid a 'naka' and the said persons were apprehended with 1 kgs and 10 grams of heroin and .32 bore revolver of a country made along with 3 live cartridges.

Learned counsel for the petitioner contends that the alleged contraband was not recovered from the petitioner, who was indicted on the

disclosure suffered by co-accused Sonu and Devinder from whom the alleged contraband was recovered. He further contends that the investigation of the case is complete and final report stands filed on 26.09.2019.

On the other hand, learned State counsel assisted by SI Jaspal Singh has opposed the bail application. However, it is not disputed that the petitioner was indicted in the present case on the basis of disclosure suffered by the co-accused.

After hearing learned counsel for the parties, this Court finds that the further custody of the petitioner may not be necessary, as the trial is likely to consume considerable time. Therefore, 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 requisite bail bonds/surety bonds to the satisfaction of the CJM Amritsar.

The petition is allowed.

29.10.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No