

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

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**CRM-M-44684-2019 (O&M)
Date of Order:08.11.2019**

Jaspal Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. A. S. Khosa, Advocate, for the petitioner.
Mr. Hittan Nehra, Addl. A.G., Punjab

ANIL KSHETARPAL, J(Oral)

Prayer in the petition is to grant regular bail in FIR No.62, dated 14.06.2017, registered under Section 18 of the NDPS Act, 1985, at Police Station Bahav Wala, District Fazilka.

Counsel for the petitioner contends that in an FIR registered on 14.06.2017, the petitioner has been arrested on 16.04.2019, i.e. after a period of 22 months. He further submitted that he is not named in the FIR and he has been involved on the statements of Sukhdev Singh and Jagdev Singh. Co-accused of the petitioner has been granted concession of bail vide CRM-M-26041-2019.

On the other hand, learned counsel for the State, on instructions from ASI Jugraj Singh, has submitted that in fact the secret informer had given wrong names and in fact the correct names were Manga @ Mangal Singh, the petitioner and Jaspal Singh. He further submitted that motorcycle on which the accused were travelling belongs to the co-accused.

On specific question by the Court, learned State counsel on instructions from the Investigating Officer, who is present in Court, has

submitted that the investigation is complete and the challan is going to be presented. It is debatable “as to whether any case is made out against the petitioner or the names as disclosed by the secret informed as recorded in the FIR are correct or not?

It is also not in dispute that none of the mobile numbers, which has been mentioned in the FIR belongs to the petitioner.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is not named in the FIR, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the learned trial Court.

Accordingly the petition is allowed with the aforesaid directions.

November 08, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No