

262 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51911-2019

Date of decision : 17.12.2019

Inderjit Singh alias Indri

....Petitioner

vs

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. K.B.Raheja, Advocate for the petitioner.

Mr. Tanvir Joshi, AAG,Punjab.

HARINDER SINGH SIDHU, J.

This is a petition under Section 439 Cr.P.C.for the grant of bail to the petitioner in case FIR No. 69 dated 14.07.2019, under Section 15/29/61 of NDPS Act 1985, Police Station Kulgarhi, District Ferozepur.

The FIR was registered on receipt of a secret information that Balwinder Singh son of Karam Singh is the owner of a Tralla bearing registration No. PB-05-AB-9456. One Tarlok Singh son of Kehar Singh is appointed by him as a driver on the said Tralla. They used to deliver articles to Army Canteen at Pathankot from Rajasathan and in the garb of transportation of the articles, they used to bring poppy husk from Rajasthan to Punjab. On the basis of that secret information, the Tralla was intercepted and from the Tralla five bags of 40 kilograms each and 5 bags of poppy husk each containing 20 kilograms were recovered. In the course of investigation Arshdeep Singh son of Balwinder Singh was arrested on 18.7.2019 and on his disclosure statement 700 grams of opium, one quintal of poppy husk and 1200 intoxicant tablets along with drug money of Rs. 30,000/- were recovered. It was on the basis of

the disclosure statement of Arshdeep Singh that the petitioner has been arrested. Arshdeedp Singh stated that he had handed over/supplied the narcotics on 14.7.2019.

Learned counsel for the petitioner states that no recovery has been effected from the petitioner. He is named only on the basis of the disclosure statement of co-accused Arshdeep Singh and is in custody since 16.09.2019.

Opposing the petition, learned State counsel has submitted that the petitioner is specifically named by the co-accused in his disclousre statement and indulges in selling narcotics in the State of Punjab. Therefore, he does not deserve any concession for the grant of bail.

Taking into account the facts and circumstances of the case, without commenting anything on the merits and bearing in mind the fact that the petitioner is in custody since 16.09.2019, in my opinion, no useful purpose would be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. Petitioner Inderjit Singh alias Indri is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, in case the petitioner indulges in any activity akin to one for which he has been convicted, while on bail, the prosecution agency will be at liberty to seek the cancellation of the order granting bail to the petitioner.

The present petition stands accepted accordingly.

(HARINDER SINGH SIDHU)
JUDGE

17.12.2019
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No