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

**CRM-M No.457 of 2020 (O&M)
Date of Decision: 14.08.2020**

SANDEEP SINGH @ DEEPA

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Dinesh Nagar, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, A.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.90 dated 24.11.2019, registered under Section 22 (Section 29 added later on) of the NDPS Act at Police Station Balachaur, District SBS Nagar.

Learned counsel for the petitioner submitted that the petitioner has been nominated in the FIR on the basis of disclosure statement of co-accused Gurinder Singh, from whom 16 injections 2 ml. each containing Buprenorphine

Hydrochloride were recovered.

Learned State counsel on instructions from the Investigating Officer submitted that as per Chemical Examiner's report, the alleged recovery is of 16 injections 2 ml. each containing Buprenorphine Hydrochloride, which were recovered from Gurinder Singh.

In the short reply by way of affidavit of DSP, Sub Division, Balachaur District Shaheed Bhagat Singh Nagar, it has been disclosed that petitioner has not been named in the FIR, but his name came to be disclosed by co-accused Gurinder Singh, from whom the contraband was recovered. He has made his confessional statement to the Police, that on 22.11.2019, he along with the petitioner was coming in car make Alto being driven by the petitioner. They had come from Saharanpur (UP) via Ropar along with intoxicating injections and when they reached at the Check Post, Asron, the Police was checking the vehicles ahead of their car. The police signalled them to stop the Car, but the petitioner did not stop the car and sped away the same to run over the police. The police party got themselves aside in order to save their lives. The car hit against the barricades and then hit against the another private car. The accused fled away thereafter. On that day, Gurinder Singh stayed with the petitioner and on the next day, petitioner

dropped him in his car in village Garhikanugo on the main Nawanshahar-Chandigarh Road.

Petitioner is in custody since 28.11.2019. Petitioner is not involved in any other case. The FSL report has been received.

Looking to the aforesaid facts and in view of the situation arising out due to pandemic COVID-19 and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

August 14, 2020

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No