

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

CRM-M-1068-2020
Date of decision:19.2.2020

SHINDA SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Ms. Manpreet Ghuman, Advocate
for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.220 dated 9.11.2019 under Sections 21, 22 & 29 of NDPS Act at Police Station Dhanaula, District Barnala.
2. It is the case of prosecution that on 9.11.2019, a secret information was received by police party present in the area of Dhanaula that Sukhdev Singh, Gurpreet Singh and Happy Singh were going in Swift Desire car bearing registration No.PB-13-AW-2820 for the purpose of selling "Heroin" and other drugs. Upon receipt of said information, the police swung into action and intercepted car bearing No.PB-13-AW-2820 and apprehended the aforesaid 3 accused from whose possession 1100 grams of "Heroin" was recovered. It is further the case of prosecution that during the interrogation of accused Happy, the petitioner was nominated as accused and that on 15.11.2019 the petitioner Shinda Singh was

apprehended and who got effected recovery of 45 grams of “Heroin”.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that he was never arrested at the spot and is sought to be nominated as an accused on the basis of alleged statement of co-accused recorded during the course of his interrogation.
4. Opposing the petition, learned State counsel has submitted that since the petitioner has specifically been named by the accused from whom recovery of 1100 grams of “Heroin” was effected, no case for grant of bail is made out, particularly since the petitioner himself was also found in possession of 45 grams of “Heroin”.
5. I have considered rival submissions addressed before this Court. Bearing in mind the fact that the petitioner was not arrested at the spot and is sought to be nominated on the basis of disclosure statement, the veracity and admissibility of which is yet to be tested during the course of trial and that the recovery of 45 grams of “Heroin” as stated to be effected from him falls in “non-commercial” quantity, in my opinion, further detention of the petitioner will not serve any useful purpose as the conclusion of trial is likely to take some time.
6. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

19.2.2020
Gaurav Sorot

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No