

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-1223-2020

Date of Decision: 21.01.2020

Gurjant Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Vipul Jindal, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner- Gurjant Singh, has prayed for grant of regular bail in case FIR No. 17 dated 01.07.2018 registered under Section 21, 25 and 29 of the NDPS Act and Section 25 of the Arms Act at Police Station State Operation Cell, Amritsar.

According to prosecution, co-accused of the petitioner, namely; Sukhraj Singh @ Raja, Gurlal Singh and Sarabjeet Singh, were apprehended with conscious possession of 14 kgs 800 grams of heroin. During investigation, when their call details were searched, petitioner was found to have been in regular touch with them.

Learned counsel *inter alia* contends that petitioner was not apprehended at the spot, nor there is any evidence against him that he was ever involved in drug trafficking case. He has falsely been implicated in

the instant case. Co-accused of petitioner, namely; Tarwinder Singh, who is also on similar footing, has been enlarged on bail by this Court vide order dated 14.06.2019 (Annexure P-4) passed in CRM-M-26521-2019. Thus, treating the case of petitioner on same parity as that of his co-accused, he may also be released on bail.

On the other hand, learned State counsel vehemently opposing the submissions of learned counsel for the petitioner contends that petitioner was found to have been in regular touch with the accused, therefore, his complicity in commission of crime cannot be ruled out.

Considering overall facts and circumstances, but without expressing any opinion on the merits of case, the petition is allowed. Consequently, petitioner-Gurjant Singh, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

January 21, 2020
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(RAMENDRA JAIN)
JUDGE

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