

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

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**CRM-M No.4349 of 2020
Date of decision:6.2.2020**

SAHIB SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

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

Present: Mr.G.S. Brar, Advocate
for the petitioner.

Mr.J.S.Ghumman, DAG, Punjab.

RAJ MOHAN SINGH, J.

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case bearing FIR No.309 dated 22.11.2019 registered under Sections 22, 29 of the NDPS Act and Section 13 (2) of the Prevention of Corruption Act (added later) at Police Station City Rajpura, District Patiala.

Earlier in the context of illegal detention of one Hari Om Shukla, his wife and son filed CRWP No. 119 of 2019, which was disposed of by this Court vide order dated 25.11.2019. Since the alleged detenues had come home, therefore, no further order was required to be passed in the said petition.

Learned counsel for the petitioner states that Hari Om Shukla was called by Incharge, CIA Staff, Rajpura. At that time, the message was given through the petitioner for summoning of aforesaid Hari Om Shukla. Petitioner informed Hari Om Shukla and thereafter, he played no overt act in any of the alleged allegations made in the FIR. Petitioner and others were impleaded later on, on the ground that the petitioner had left Hari Om Shukla without informing his higher officers. Petitioner has no role to play in the context of delivery of parcel containing some intoxicants/ medicines.

Learned State counsel, on instructions from Inspector Surinder Pal Singh, has admitted the fact that the petitioner acted in pursuance of the call made by Incharge, CIA Staff, Rajpura in the context of summoning of Hari Om Shukla and thereafter, no prima facie role is found in subsequent proceedings. Learned State counsel further states that the Special Investigating Team has been formed to investigate the culpability of all the persons involved in the said episode.

At this stage, without meaning anything on the merits of the case, it would be just and appropriate to grant regular bail to the petitioner, who is in custody since 25.11.2019.

In view of above, this petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing

adequate bail bonds/surety bonds to the satisfaction of the CJM/
Duty Magistrate concerned.

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

February 06, 2020

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Whether reasoned/speaking

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No