

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

(Proceedings conducted through video Conference)

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CRM-M-5057-2020 (O&M)

Date of decision: 22.05.2020

KARAMJIT SINGH @ TONNY

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. AS Barnala, Advocate for the petitioner.
Ms. Monika Jalota, DAG, Punjab.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of bail in anticipation of arrest in FIR No.04 dated 06.01.2020 registered at Police Station City Barnala for offence under Sections 21, 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the NDPS Act').

Counsel for the petitioner would argue that the petitioner is sought to be indicted in the crime on the basis of statements of one Malkiat Singh and Rinku, a co-accused in the case. It is further argued that as per the allegations, Malkiat Singh had been restraining the petitioner from selling intoxicants in his mohalla and as such, there is no occasion for the petitioner to go to such Malkiat Singh and disclose that accused had named him before the police. It is further argued that alleged recovery has already been effected and the petitioner is ready to join investigation and co-operate, against whom there is no other case registered under the NDPS Act.

Counsel representing State of Punjab, on instructions from SI Dharampal, Police Station City Barnala, would inform that there are three other cases against the petitioner under NDPS Act.

Counsel for the petitioner made a wrong statement that there is no other case under the NDPS Act registered against the petitioner. This apart, the petitioner has been indicted in the crime on the basis of statement of Malkiat Singh and co-accused Rinku. The petitioner has not alleged any malafide/hostility against him either by Malkiat Singh or Rinku. Custodial interrogation of the petitioner is required, as such, he is not entitle to grant of bail in anticipation of arrest.

Dismissed.

22.05.2020

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No