

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

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**CRM-M-5728-2020(O&M)
Date of Order:07.10.2020**

Simranjeet Singh @ Rinku

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. P.K.S.Phoolka, Advocate,
for the petitioner.

Sh. Randhir S. Thind, DAG, Punjab

ANIL KSHETARPAL, J(Oral)

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner-Simranjeet Singh @ Rinku son of Late Sh. Jagga Singh prays for grant of bail pending trial in a criminal case arising from FIR No.104, dated 27.06.2019, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sadar Sangrur, District Sangrur.

As per the case of the prosecution, Pirthi Singh son of Gurnam Singh was apprehended with 1050 intoxicating tablets Clovidol 100-SR containing salt Tramadol Hydrochloride. Aforesaid Pirthi Singh is alleged to have disclosed that he purchases the intoxicant tablets from the petitioner.

Learned counsel for the petitioner contends that apart from disclosure statement of Pirthi Singh, which is not admissible in evidence, the prosecution has failed to collect any other material to prove involvement of the petitioner.

Sh. Randhir Singh Thind, Deputy Advocate General, Punjab, has submitted that the petitioner is involved in a heinous crime. He further submitted that apart from the present case, the petitioner is also involved in two more cases under the Punjab Excise Act.

It is not in dispute that there is no recovery of narcotics or psychotropic substance from the petitioner. Apart from the disclosure statement of a co-accused, learned counsel appearing for the State has failed to draw attention of the Court to that effect that the prosecution has collected any other material showing prima facie involvement of the petitioner.

The petitioner is in detention from December, 2019. No doubt, he is alleged to be accused in 2 cases under the Punjab Excise Act. However, in the present case, it is debatable as to whether the prosecution has collected any admissible evidence against the petitioner.

The conclusion of the trial is likely to take time.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody from December, 2019 and conclusion of the trial is likely to take time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

Accordingly, the present petition is allowed with the aforesaid directions.

October 07, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No