

226

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

**CRM-M No.5689 of 2020
Date of Decision: 13.02.2020**

Swaran Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

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

Present: Mr. Divjyot S. Sandhu, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.59 dated 15.07.2018 registered under Section 22 of the NDPS Act at Police Station Begowal, District Kapurthala.

It is not in dispute that the present occurrence took place when the petitioner was in custody in FIR No.111 dated 25.06.2018 registered under Section 21/61/85 of the NDPS Act at Police Station Kartarpur, District Jalandhar, in which he was

released on bail on 28.08.2018.

Petitioner has been nominated in the disclosure statement of co-accused namely Shadi Ram @ Tota. The recovery is of 150 grams of intoxicant powder from Pardeep Kumar @ Jony, Ravi, Anil, Shadi Ram and Amarjit Singh @ Billa. The report of chemical examiner has already been received, wherein ingredients of Alprazolam have been found in the sample parcels.

The factual position has not been disputed by learned State counsel on instructions from ASI Harpal Singh.

The petitioner was not arrested at the spot. His name was nominated in the disclosure statement of co-accused. As per custody certificate, petitioner is also involved in other cases. The complicity of the petitioner would be debatable as to his participation in the present case on the basis of disclosure statement of co-accused. Petitioner is in custody since 25.09.2019.

In view of above, without meaning anything on merits of the case, petitioner is directed to be released on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

Nothing expressed hereinabove would be construed to

be an expression of any opinion on merits of the case.

13.02.2020

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No