

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

CRM-M-6440-2020

Date of decision: 18.2.2020

KULDEEP SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.252 dated 16.12.2019 under Sections 22, 25, 29 NDPS Act at Police Station Sangat, District Bathinda.
2. It is the case of prosecution that on 16.12.2019 during the course of checking of suspicious persons, the police came across two persons namely Jagdeep Singh and Amritpal from whose possession 900 tablets of Clovidol-100SR were recovered. Upon chemical examination of the same, the same was found to contain "Tramadol". It is further the case of prosecution that during the course of interrogation, the aforesaid two accused disclosed that they have procured the aforesaid tablets from the petitioner-Kuldeep Singh.
3. Learned counsel for the petitioner has submitted that he was never

arrested at the spot and is sought to be nominated as an accused on the basis of statements of co-accused who allegedly disclosed that they had procured the aforesaid tablets from the petitioner.

4. Opposing the petition, learned State counsel has submitted that since the co-accused from whom heavy quantity of “Tramadol” was recovered, have specifically named the petitioner as their supplier and that the petitioner is also involved in two other cases under the NDPS Act, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court. Keeping in view the fact that the petitioner was not arrested at the spot and is sought to be nominated on the basis of statement of co-accused recorded during interrogation, the veracity and admissibility of which would be debatable, the petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

18.2.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**