

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7098-2020 (O&M)
Date of decision: 24.02.2020

Dalwinder Singh @ Gora

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Veneet Sharma, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.77 dated 18.08.2019 under Sections 21, 25, 27, 29 of NDPS Act, registered at Police Station Special Task Force (STF), SAS Nagar (Mohali).

Learned counsel for the petitioner submits that as per allegations in the FIR, 850 grams of heroin was recovered from three persons i.e. Dalwinder Singh @ Gora (petitioner) (250 grams), Sukhwinder Singh (300 grams) and Sarwan Singh (300 grams). It is further submitted that the FIR was registered on the basis of a secret information that the petitioner and three other persons are involved in the business of selling of heroin. It is also submitted that recovery effected from the petitioner will fall in the non-commercial quantity; petitioner is in custody since 19.08.2019; he is not involved in any other case. Learned counsel further submits that one of the co-accused Iqbal Singh, who

was not arrested at the spot, has already been granted the concession of regular bail by this Court vide order dated 01.11.2019 passed in CRM-M-45778-2019.

Learned State counsel has filed the custody certificate dated 24.02.2020 in the Court today and as per this custody certificate, the petitioner is in custody for the last more than 06 months and is not involved in any other case. Learned State counsel, on instructions from ASI Satpal Singh, has submitted that challan stands presented, however, the charges are yet to be framed and only thereafter, the evidence will start.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; recovery is of non-commercial quantity; trial is at the initial stage and it will take some time in conclusion of the trial and also in view of the fact that one co-accused Iqbal Singh has already been granted the concession of regular bail, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

24.02.2020

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No