

229 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9817-2020

Date of decision-13.03.2020

Manpreet Singh @ Ramandeep Singh @ MonuPetitioner

Vs.

State of Punjab ...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Manpreet Ghuman, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.111 dated 07.08.2019 registered under Section 15 of Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 NDPS added later on) at Police Station Kot Ise Khan, District Moga. The petitioner is in custody since his arrest on 07.08.2019.

As per the prosecution case, on 07.08.2019, when the Police party was on patrol duty, a secret information was received that Gurdev Singh who used to deal in selling of intoxicant substance (poppy husk) would be coming from village Kot Sadar Khan. Acting upon the same, accused was apprehended. Upon search, 55 kg poppy husk was recovered from the possession of the Gurdev Singh.

Learned counsel for the petitioner contends that the alleged recovery of poppy husk is effected from accused Gurdev Singh who was

found present at the spot. He submits that the petitioner has been indicted on the statement of accused Gurdev Singh on the ground that the said contraband was received from the petitioner. According to her, the investigation of the case is complete and considering the nature of the offence against the petitioner, his further custody may not be justified.

On the other hand, learned State counsel assisted by ASI Sukhwinder Singh opposed the prayer on the ground that the petitioner is involved in two more cases of similar nature. However, it is not disputed that the contraband recovered in the present case was found in the possession of accused Gurdev Singh, on whose statement, the petitioner was indicted. It is also not disputed that the investigation of the case is complete, however, trial is yet to commence.

After hearing learned counsel for the parties, this Court is of the opinion that trial is likely to consume considerable time, therefore, no useful purpose would be served by keeping the petitioner behind the bars. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

13.03.2020

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No