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

**CRM-M No.12591 of 2020(O&M)
Date of Decision: 01.07.2020**

Rajwinder Singh @ Raju

.....Petitioner

Vs

State of Punjab

.....Respondent

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

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

Mr. H.S. Sullar, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.35 dated 01.05.2019 registered under Sections 21, 25, 29 of NDPS Act at Police Station Special Task Force (STF), STF Wing, Boarder Range, Amritsar, District SAS Nagar, Mohali.

FIR was registered on the basis of secret information against five persons namely Raja Singh, Lovedeep Singh @

Deepu, Jajj Singh @ Doctor, Rajwinder Singh @ Raju (petitioner) and Gurdeep Singh. Further allegations are that the aforesaid persons are involved in the business of selling of heroin by conspiring with each other. They have connections with smugglers in Pakistan. The secret information was also to the effect that the accused were roaming in Innova car and could be apprehended by installing *nakabandi*. The FIR was registered on the basis of aforesaid secret information and thereafter, police apprehended two persons namely Raja Singh and Lovedeep Singh @ Deepu along with 1 kg. 100 gms of heroin in the car.

Learned counsel for the petitioner submitted that except the aforesaid secret information and disclosure statement of Raja Singh, there is no incriminating material against the petitioner. Name of Jajj Singh @ Doctor was also involved on the basis of disclosure statement of Raja Singh. Co-accused Gurdeep Singh has not been mentioned in the disclosure statement of Raja Singh, despite his name being mentioned in the secret information. Gurdeep Singh has been granted benefit of anticipatory bail vide order dated 20.09.2019 passed in CRM-M No.29238 of 2019. No recovery has been effected from the petitioner after his arrest.

On the other hand, learned State Counsel submitted that the petitioner is a member of gang who is involved in smuggling of narcotics. The petitioner is also involved in three more cases, the details of which have been given in para No.3 of the reply.

Learned counsel for the petitioner stated that the petitioner is on bail in all the aforesaid cases. Petitioner is in custody since 16.11.2019.

Looking to the aforesaid factual position of the case and without meaning anything on merits of the case, I deem it appropriate to enlarge the petitioner on regular bail subject to his furnishing heavy bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Nothing expressed hereinabove, shall be construed to be an expression of any opinion on merits of the case.

01.07.2020

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No