

S.No.201

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

CRM-M-13800 of 2020 (O&M)

Date of Decision:03.07.2020

Dalip Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. J.K. Singla, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.187 dated 26.07.2019 registered under Sections 22, 25 of NDPS Act, 1985 at Police Station Sardulgarh, District Mansa.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Nothing has been recovered from the petitioner. Even as per the case of the prosecution, the alleged recovery is from the house of the co-accused Gurdev Kaur. Even the co-accused Gurdev Kaur has been released on bail by this Court. It is further submitted that the petitioner is in continuous custody since 06.02.2020. Before that also, the petitioner had been in custody, although subsequently, he was granted interim bail by the trial Court. Counsel has also submitted that there is no other case against the petitioner.

Notice of motion.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab, accepts notice

on behalf of the State.

Learned State Counsel, on instruction from HC Akbar Salim, submits that the petitioner is directly involved in the case. It is further submitted that 320 tablets of Tredol were recovered from both the co-accused when they were dividing the same amongst themselves. However, it is not disputed that the alleged recovery was effected from the house of co-accused Gurdev Kaur and that the co-accused Gudev Kaur has already been released on bail. It is also not disputed that there is no other case against the petitioner and that after surrendering after the interim bail, the petitioner is in continuous custody now; since 06.02.2020.

In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ CJM/ Duty Magistrate.

July 03, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No