

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

CRM-M-15639 of 2020

Date of Decision: 02.07.2020

Sandeep Kumar alias Sonu

.....Petitioner

Vs.

State of Punjab

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Jatinderpal Singh, Advocate
for the petitioner.

Mr.Mehardeep Singh Dullat, Addl.A.G., Punjab.

AMOL RATTAN SINGH, J. (Oral)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 Cr.P.C., upon FIR No.0048, dated 17.03.2020, having been registered at Police Station Gidderbaha, District Sri Muktsar Sahib, alleging therein the commission of an offence punishable under Section 21 of the Narcotic Drugs and Psychotropic Substance Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been falsely roped in on account of some personal grudge of a member of the CIA staff, which would be reflected from the fact that first, in an FIR registered on 11.08.2019, he was not even named but was subsequently sought to be implicated, with another FIR registered on January 03, 2020,

again alleging that the petitioner was carrying small quantity of heroin and with the present case having been registered in March, 2020, again with the petitioner allegedly carrying 20 grams of heroin, which he submits is including the weight of the polythene bag he was carrying.

Learned State counsel on the other hand submits that the petitioner being a habitual offender, simply because each time the quantity recovered from him (as per the FIRs), is small quantity, he does not deserve to the concession of bail.

Whereas otherwise I do not disagree with the learned State counsel, but keeping in view the fact that the FIRs have been registered one after the another, with the petitioner stated to be not named in one of them, without making any comment on the actual merits of the case, for or against the petitioner, the petition is allowed, with the petitioner ordered to be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

July 02, 2020

dharamvir

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES
Whether Reportable : YES