

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

CRM-M-19262 of 2020

Date of Decision: 27.10.2020

Gurpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mrs. G.K Mann, Advocate for the petitioner.

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

HARINDER SINGH SIDHU, J

Prayer is for grant of regular bail in case FIR No.0103 dated 29.04.2019 under Section 21 of NDPS Act and Section 42 of Prisons Act, 1894 registered at P.S City Faridkot, District Faridkot.

Present case was initiated on a letter written by the Assistant Superintendent, Central Jail, Faridkot on 29.04.2019 to the SHO, Police Station City Faridkot wherein it is alleged that on 29.04.2019 at about 09.09 a.m, Constable Gurpreet Singh entered the jail for taking the prisoner. He asked prisoner Gursewak Singh about the whereabouts of inmate Angrej Singh. Gursewak Singh informed that Angrej Singh was coming. Then, Gurpreet Singh, employee handed over one packet to Gursewak Singh and told him to deliver the same to Angrej Singh. Later, when Angrej Singh came, Gursewak Singh handed over the said packet to him. On being searched, Angrej Singh was found to be in possession of 100 grams heroin. Angrej Singh stated that the said packet was delivered to him by Gursewak Singh and it was to be delivered to the petitioner.

Learned counsel for the petitioner contends that the recovery was not effected from the petitioner. He is sought to be implicated only on

the basis of disclosure statement made by Angrej Singh. It is argued that Constable Gurpreet Singh, who had brought the packet, has already been granted the concession of interim anticipatory bail by this Court vide order dated 26.08.2019 passed in CRM-M-23262 of 2019.

On the other hand, learned State counsel has submitted that the petitioner, at present, is lodged in Central Jail, Faridkot and is undergoing sentence of seven years consequent upon his conviction in case FIR No.303 registered against him. Investigation is complete and the challan has been filed.

Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioner Gurpreet Singh is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This present petition stands accepted accordingly.

October 27, 2020
manoj

(Harinder Singh Sidhu)
Judge

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