

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

CRM-M-21932-2019

Date of decision: 17.2.2020

MANPREET SINGH @ MONEY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
assisted by ASI Gurmail Singh.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.143 dated 11.10.2018 under Section 22 NDPS Act at Police Station Jaito, District Faridkot.
2. It is the case of prosecution that on 11.10.2018 during the course of checking of vehicle, the police signalled a Mahindra Pick-up truck to stop. The driver of the said vehicle stopped his vehicle about 50 meters short of the check-post and ran away from the spot after leaving the vehicle. A lady, however, kept sitting on the passenger seat of the Mahindra Pick-up truck bearing registration No.PB04-AA-7139. Upon checking of the said vehicle, a polythene bag containing intoxicant tablets

was found lying in between the seats, which was found to contain 140 strips of Alprazolam tablets (total 1400 tablets).

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case on the basis of a disclosure statement allegedly made by Paramjit Kaur stated to have been apprehended at the spot. Learned counsel has further submitted that in any case even the vehicle in question does not belong to the petitioner and in these circumstances, he deserves to be released on bail.
4. Opposing the petition, learned Stated counsel has stated that the complicity of the petitioner is evident from the fact that the lady who was apprehended from the vehicle is none else but mother of the petitioner and who had disclosed about the driver of the said vehicle being her son. Learned State counsel has further informed that the petitioner is involved in one more case registered under Section 376 IPC and as such he does not deserve the concession of bail. It has however been informed that the petitioner has been behind bars since last more than 1 year and that till date not even a single PW out of the cited 18 PWs has been examined.
5. Having regard to the facts and circumstances of the case especially that the petitioner was not arrested at the spot and has been behind bars since last more than 1 year and is not stated to be involved in any other case under NDPS Act, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty

Magistrate concerned.

6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

17.2.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No