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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Decided on: 02.12.2020

1. CRM-M No.21628 of 2020 (O&M)

Arun Dhawan

....Petitioner

Versus

State of Punjab

....Respondent

2. CRM-M No.21631 of 2020 (O&M)

Inderjeet Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. S.K. Passi, Advocate
for the petitioner (in CRM-M-21628-2020)

Mr. P.S. Dhanju, Advocate
for Mr. Tarun Sharma, Advocate
for the petitioner (in CRM-M-21631-2020)

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioners under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.51 dated 26.05.2020, for offence punishable under Section 22 of the NDPS Act registered at Police Station Makhu, District Ferozepur.

Counsel for the petitioner(s) has argued that as per the allegations in the FIR, registered on the basis of a secret information that 02 persons are coming with heavy quantity of intoxicant tablets and

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they can be apprehended.

Upon this, the police party stopped one motorcycle, which was driven by the present petitioner – Inderjeet Singh and the co-accused namely Arun Dhawan was the pillion rider.

The accused were found in conscious possession of 2500 tablets of CLOVIDO-100 SR.

Counsel for the State has filed the Custody Certificates of both the petitioners today in the Court.

The petitioner – Arun Dhawan, who was the pillion rider has undergone 06 months of the total custody and is involved in 02 other cases under the Indian Penal Code and is not involved in any other case under the NDPS Act.

The Custody Certificate of another petitioner – Inderjeet Singh, who was the driver of the motorcycle, reflect that he is involved in 05 more FIRs, out of which 04 FIRs are of the NDPS Act and pertain to the year 2019-20.

Counsel for the State has further submitted that challan stands presented on 16.10.2020, however, charges are yet to be framed.

After hearing the counsel for the parties, considering the fact that the petitioner – Inderjeet Singh is involved in as many as 04 other FIRs under the NDPS Act, I find no ground to grant the concession of bail to the petitioner – Inderjeet Singh and accordingly, the petition i.e. CRM-M No.21631 of 2020, is dismissed.

However, considering the fact that charges are yet to be framed and the petitioner – Arun Dhawan is not involved in any other case under the NDPS Act, the petition i.e. CRM-M No.21628 of 2020,

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is partly allowed and the petitioner – Arun Dhawan is directed to be released on interim bail till 30.04.2021, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

A photocopy of this order be placed on the file of other connected case i.e. CRM-M No.21631 of 2020.

(ARVIND SINGH SANGWAN)
JUDGE

02.12.2020

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No