

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-23978-2020 (O&M)

Date of Decision:- 27.11.2020

Kulwinder Singh @ Kindri ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepak Aggarwal, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.235, dated 16.10.2019, Police Station Raman, District Bathinda, under Section 22/25/27-A NDPS Act.
2. The allegations are broadly to the effect that one Angrej Ram and Kala Ram were found in possession of 1420 tablets of CLOVIDOL-100 (Tramadol) and that during the course of interrogation they disclosed that they had procured the same from petitioner Kulwinder Singh @ Kindri.
3. Learned counsel for the petitioner has submitted that he is nowhere named in the FIR nor any recovery was ever effected from him and that he has been falsely implicated as an accused on the basis of

disclosure statement allegedly made by co-accused which can hardly have any evidentiary value.

4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically nominated by both the co-accused as a supplier of contraband, no case for grant of bail is made out particularly since he happens to be involved in one more case. Learned State counsel has however, informed that the petitioner has been behind bars for the last about 7 months and that none of the PWs has been examined so far.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner has been nominated as an accused on the basis of a disclosure statement, the admissibility and veracity of which would be debatable and has been behind bars since the last about 7 months, his further detention will not serve any useful purpose as the trial is yet to commence. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

November 27, 2020
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No