

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

CRM-M-26981 of 2020.

Decided on:- September 17, 2020.

Prabhjot Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Deepak Arora, Advocate for
Mr. Prince Sharma, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. D.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed present petition Section 439 Cr.P.C. seeking regular bail in FIR No.46 dated 19.03.2020 under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, the NDPS Act) (later on Section 29 of the NDPS Act was added) registered at Police Station Sarhali, District Tarn Taran.

Learned counsel for the petitioner has submitted that the name of petitioner was not mentioned in the FIR and it is on the basis of disclosure statement of co-accused Rajinder Singh @ Prince, the name of petitioner cropped up in the case. The petitioner is in custody since 15.07.2020 and there is no other case against him. Co-accused Rajinder Singh @ Prince has already been admitted on bail by this Court vide order dated 01.07.2020

passed in **CRM-M-15544 of 2020** titled as **Rajinder Singh @ Prince Versus State of Punjab**.

Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. He does not dispute the custody and the fact that co-accused Rajinder Singh @ Prince has already been admitted on bail by this Court.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 15.07.2020 and the alleged recovery of 254 grams of heroin was effected from co-accused Rajinder Singh @ Prince, who has already been admitted on bail, this Court finds that the petitioner deserves to be admitted on bail during the pendency of trial.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

September 17, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No