

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

(Heard through VC)

CRM-M-32407 of 2020 (O&M)

Date of Decision: October 27, 2020

Harjit Singh @ Kabir @ Soni

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Manish Kumar Singla, Advocate
for the petitioner.

Ms. Monika Jalota, DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.20 dated 19.02.2020, under Sections 22, 29 of NDPS Act 1985, registered at Police Station Jaitu, District Faridkot.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 20.02.2020. It is argued that the petitioner has been nominated in the present FIR on the basis of a disclosure statement made by co-accused Gurcharan Singh @ Charani, who has already been allowed regular bail by this court by an

order dated 10.07.2020 passed in CRM-M-13260 of 2020. It is also submitted that out of total nine persons nominated as an accused under the said FIR, most of them have already been allowed regular bail as would be evident by orders dated 13.07.2020 passed in CRM-M-16325 of 2020 and CRM-M-16778 of 2020. It is also argued that the recovery that was supposed to be effected from the petitioner herein was in fact from the car belonging to one Sandeep Kumar and the petitioner herein is neither the owner of the said car nor he was driving the same. It is also contended that investigation is complete, as the challan has already been presented and due to Covid-19 pandemic, the trial will take sufficient time to conclude.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that 35000 intoxicant tablets along with drug money of ₹ 1,13,000/- were recovered from the petitioner.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody; investigation is complete as the challan has already been presented; he has been nominated only on the basis of disclosure statement and that main accused and other co-accused have already been regular bail by this court, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the

purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

October 27, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No