

In virtual Court

CRM-M-33038-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33038-2020 (O&M)
Date of decision: 17.11.2020

Beeru Chand @ Veeru

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Amandeep Chhabra, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.76 dated 23.04.2020 under Section 21 of NDPS Act (Section 22/29 of NDPS Act and Section 25 of Arms Act added later on) and Sections 188, 270 IPC, registered at Police Station Kotwali, District Bathinda.

Learned counsel for the petitioner submits that as per allegations in the FIR, the police party, while on patrol duty, apprehended Harvinder Singh @ Babbu, Vinod Kumar @ Kala and Sandeep Singh, on suspicion and after following the proper procedure, 40 grams of heroin was recovered from them. It is further submitted that the petitioner was not named in the FIR and he was nominated on the basis of disclosure statement of co-accused Navdeep Sharma @ Rocky. It is also submitted that the petitioner is in custody since 29.07.2020

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and is not involved in any other case and three of his co-accused have already been granted the concession of regular bail by the trial Court, considering the fact that recovery is of non-commercial quantity.

Learned State counsel could not dispute the factual position and submits that challan has already been presented and no recovery was effected from the petitioner, after his arrest.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

17.11.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No