

CRM-M-33056-2020

Date of Decision: 28.10.2020.

GURBAJ SINGH ALIAS BAJA
VS.

... PETITIONER

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Amit Arora, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

Through instant petition, the petitioner is seeking regular bail in case FIR No. 35 dated 18.06.2019 registered under Section 21 of the NDPS Act and Section 411 IPC (added later on) at Police Station Kacha Pacca, District Tarn Taran.

The aforesaid FIR has been registered in pursuance of recovery of 260 grams of heroin from Guravtar Singh @ Kali @ Gora @ Angrej and Gurjit Kaur @ Aman while they were travelling on a motor cycle.

It has been stated by learned counsel for the petitioner that no recovery has been effected from the petitioner and he has been nominated on the basis of disclosure statement of Guravtar Singh where it has been mentioned that he has purchased the contraband from him. The petitioner is not involved in any other case. It has been further stated by learned counsel for the petitioner that the investigation of the case is complete, the petitioner is in custody for the last 05 months and challan has already been presented.

Learned State counsel, on instructions from ASI Kulwant Singh, has not assailed the factual aspect(s) of the matter.

Keeping in view the fact that no recovery has been effected from the petitioner, he has been nominated on the basis of disclosure statement of Guravtar Singh and furthermore, conclusion of trial is likely to take some time, no fruitful purpose will be served by detaining the petitioner in further custody. As such, to secure the ends of justice, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate/trial Court.

28.10.2020
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No