

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-34380-2020 (O&M)**
Date of Decision: 10.12.2020

Labh Singh @ Labha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. G.S.Dhaliwal, Advocate, for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab,
assisted by ASI Rajinder Pal Singh.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.0001 dated 08.01.2020, at Police Station City Raikot, District Ludhiana (Rural), under Sections 22 & 25 of the NDPS Act.
2. It is the case of prosecution that two persons namely Charanjit Singh and Gurtej Singh were caught by the police during the course of *Nakabandhi* and who were found in possession of 1060 loose intoxicant tablets, the total of which weighed 433.54 grams. It is the case of prosecution that during the course of interrogation, the said two accused disclosed that they have procured the aforesaid contraband from the petitioner Labh Singh. It is further the case of prosecution that upon chemical examination, it was

found that the said tablets contained 'Tramadol' which is a psychotropic substance.

3. The learned counsel for the petitioner has submitted that he was never arrested at the spot nor any recovery was affected from him and has been nominated as an accused on the basis of disclosure statement allegedly made by co-accused.
4. Opposing the petition, the learned State Counsel has submitted that since the petitioner came to be nominated on specific disclosure having been made by co-accused from whom a 'commercial' quantity of contraband i.e. 'Tramadol' was recovered, no case for grant of bail is made out. The learned State counsel has informed that the petitioner as on date has been behind bars since the last more than 3 months and that he is not involved in any other case and that challan stands presented.
5. Having regard to the aforestated position wherein this Court finds that the petitioner is not a previous convict and was never arrested at the spot and that challan already stands presented, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

10.12.2020

Vimal

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**