

210-2

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

CRM-M No.41905 of 2019

Date of Decision : 04.02.2020

Pritpal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Amit Rana, Advocate
for the Petitioner.

Mr. Sukhbir Singh, Asstt. Advocate General, Punjab
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking Regular Bail in case FIR No.102, dated 2nd July, 2019, registered under Section 21/22/29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station City Nawanshahr District S.B.S Nagar, Punjab.

2. The Petitioner was arrested on 8th July, 2019.

3. The recovery effected from him was of a small quantity.

The other material against him happens to be only the disclosure statements of the co-accused, namely, Paramjit Kaur and Sunny.

There is no independent material to indicate that he was at all actively involved in the illegal Trade of Drugs, and the fact that an amount of

Rs.74,000/- was deposited in his Bank Account by the co-accused while the Petitioner was himself in Canada cannot *ipso facto* be taken to mean that he himself was involved in such nefarious activities. He, therefore, clearly stands on different footing from the other two accused persons from whom the recoveries were effected directly.

4. Admittedly, the Petitioner is not involved in any other case under the NDPS Act.

5 For the aforesaid reasons, the present Petition is allowed and the Petitioner, namely, Pritpal Singh is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court concerned.

6. Further, the Petitioner is directed surrender his Passport and to follow and abide by such other directions or restrictions which the Ld. Trial Court concerned may impose in its discretion.

February 04, 2020

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No