

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

201

**CRM-M-50700-2019 (O&M)
Date of Decision: 24.07.2020**

HARPREET SINGH @ NATTY

....Petitioner

Versus

STATE OF PUNJAB

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. C. L. Verma, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Lalit Batra, J.(Oral)

CRM-17612 of 2020

This application is for placing on record Annexures P-3 and
P-4.

Application is allowed as prayed for.

Annexures P-3 and P-4 are taken on record.

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Present petition under Section 439 Cr.P.C is for grant of
regular bail to petitioner-**Harpreet Singh @ Natty** in case F.I.R. No.78
dated 19.08.2019 under Sections 21 and 29 of NDPS Act registered at
Police Station Special Task Force (STF), Phase-4, Mohali, District SAS
Nagar.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that due to rivalry in the area and with the connivance of local police, alleged recovery of 222 grams of heroin has been shown from the possession of petitioner and even otherwise said contraband falls within ambit of non-commercial quantity. He further urges that petitioner has no connection with the alleged recovery of 830 grams of heroin shown from co-accused Dalbara Singh @ Billa and Sarbjit Kaur as alleged recovery memos are quite separate and distinct one and, thus, bar created by Section 37 of NDPS Act would not be attracted against the petitioner. He further urges that petitioner is in custody since 19.08.2019 and he is no more required by the Police for any investigation purpose. He further urges that challan has already been presented in the Court and since consequent trial would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further, thus, he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the reply submitted by respondent-State as well as documents placed on record at the instance of petitioner.

At this stage, without commenting anything on the merits of

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:3:

the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 19.08.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by the petitioner- **Harpreet Singh @ Natty** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Ludhiana, as the case may be.

(LALIT BATRA)
JUDGE

24.07.2020

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