

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51558-2019
Date of decision-13.01.2020

Gagandeep Singh @ Gaggi
Vs.

...Petitioner

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ankush Singla, Advocate for the petitioner.
Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Gagandeep Singh @ Gaggi has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.129 dated 25.07.2019 registered under Sections 21 and 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Dhanoula, District Barnala. The petitioner is in custody since his arrest on 25.07.2019.

The FIR was lodged on the basis of secret information wherein it was informed that Gagandeep @ Gaggi (present petitioner), Lakhwinder Singh @ Lakha and Hardeep Singh @ Nikka were engaged in business of selling intoxicating bottles and tablets which they used to bring from the other districts. As per the information, the said accused were roaming near Kaleke Bhikhi Dhanoula road and were having black bag with narcotic vials and tablets. Acting upon the information, a naka was laid and 22 vials of RC-kuff were recovered from them.

Learned counsel for the petitioner contends that recovery was effected from open place. The contraband was not found in conscious

possession of the petitioner as it was lying on the ground and three persons including the petitioner were standing there. He has invited the attention of the Court to Annexure P-2 whereby concession of regular bail has already been extended to co-accused, namely, Lakhwinder Singh @ Lakha. He further states that the petitioner is not involved in any other case and trial of the case is likely to consume considerable time, therefore, further custody of the petitioner is not necessary.

On the other hand, learned State counsel assisted by SI Gurjant Singh has opposed the prayer, however, it is not disputed that there is no other case against the petitioner much less of the similar nature. It is also not disputed that the concession of regular bail has already been extended to co-accused.

After hearing learned counsel for the parties, this Court is of the opinion that the trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

13.01.2020

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**(MANOJ BAJAJ)
JUDGE**

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