

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANAAT CHANDIGARH**

**CRM-M No.4732 of 2021 (O&M)
Date of Decision.08.02.2021
(Heard through VC)**

Rajinder Singh alias Tata

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Ms. Rashmi Attri, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.2 dated 01.01.2020 registered under Sections 22, and 29 of the NDPS Act, 1985 at Police Station Barnala, District Barnala.

Counsel for the petitioner *inter alia* would contend that the petitioner has been wrongly arrested in the said FIR and that too, based on a disclosure statement of the main accused, Gurmail Singh. It is further argued that no recoveries have been effected from the petitioner herein. The petitioner is in custody since 19.12.2020 and the trial is likely to take some time to conclude, therefore, seeks concession of bail to the petitioner.

Learned counsel appearing on behalf of the respondent-State opposes grant of regular bail to the petitioner by contending that the petitioner herein had made an extra judicial confession and therefore, regular bail should be denied to him.

I have heard learned counsel for the parties and have perused the paper book.

Keeping in view the fact that the petitioner has been nominated in the said FIR on the basis of disclosure statement of the main accused from whom recovery of alleged contraband has been effected the fact that no recovery has been effected from the petitioner herein and the trial is likely to take some time to conclude, no useful purpose would be served by keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)

JUDGE

February 08, 2021

Pankaj*

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