

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

225

CRM-M-5408 of 2021
Date of Decision: 10.02.2021

Chhinderpal Singh @ Chhindi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Ms. Riffi Birla, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.38, dated 22.04.2019, having been registered at Police Station Bhav Wala, District Fazilka, alleging therein the commission of offences punishable under Sections 21/61/85 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that after three co-accused of the petitioner, including those from whom recovery was allegedly made as per the investigating agency, were admitted to bail, the petitioner, allegedly on the information of a secret informer, was arrested in the context of the FIR in question, with him also having been similarly implicated in some other cases in which he was eventually acquitted.

She further submits that the petitioner in fact was illegally detained in

the police station leading to filing of CRWP no.635 of 2017, which however was eventually disposed of as the petitioner had already been released by the time that the warrant officer reached the police station.

Learned State counsel could not deny, on query of this court, that the petitioner has been named in the context of the present FIR only on the alleged secret information received by a police official.

That being so, with the petitioner also stated to have been in custody for the past more than 1 year, the petition is allowed, with the petitioner ordered to be admitted to bail to the satisfaction of the trial court/CJM/Duty Magistrate concerned.

February 11, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No