

221

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6679-2021(O&M)

Date of decision : 09.11.2021

Jagroop Singh @ Rupa

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Vipul Aggarwal, Advocate for the petitioner.

Mr. Abhay Pal Singla Gill, AAG Punjab.

ALKA SARIN, J. (ORAL)

This is the second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.55 dated 30.07.2019 under Sections 21 and 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29-A of the NDPS Act was added subsequently) registered at Police Station Fatehgarh Churian, Police District Batala.

Learned counsel for the petitioner would contend that the petitioner has neither been named in the FIR nor any recovery has been effected from him. His name surfaced in the confessional statement made by the co-accused Sukhbir Singh @ Sukha. He would further contend that the first bail petition of the petitioner being **CRM-M-39629-2020** was dismissed as withdrawn on 02.12.2020.

Learned counsel for the petitioner would further contend that there is one case pending against the petitioner, however, he is on bail in that case. He would further contend that the petitioner has been in custody since 29.09.2020.

Learned counsel for the State, on instructions from ASI Nand Lal, is not in a position to deny the facts that the petitioner has neither been named in the FIR nor any recovery has been effected from him. Learned counsel for the State, on the basis of custody certificate dated 23.09.2021, has contended that there is one more case pending against the petitioner. However, he is on bail in that case.

Heard learned counsel for the parties.

In view of the above and considering the facts that the petitioner has been in custody since 29.09.2020 and the trial is likely to take some time to conclude, no useful purpose would be served by keeping the petitioner behind the bars any further. Without commenting upon the merits of the case, I deem this to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

09.11.2021
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO