

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

(Sr. No. 206)

CRM-M No. 12292 of 2021

Date of decision : 13.08.2021

Amarjit Singh @ Bahadar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. L. S. Sidhu, Advocate for the petitioner.

Mr. Jagmohan S. Ghumman, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No. 158 dated 29.05.2020 under Sections 15/18/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Sadar Jalandhar, district Jalandhar.

Briefly stated, the case of the prosecution is that 120 kilograms of poppy husk and 1 kilogram of opium were recovered from a concealed compartment of a truck of which the petitioner was the driver. On such basis the aforesaid FIR was registered and the petitioner is being prosecuted.

Seeking regular bail, learned counsel submits that the petitioner has been falsely implicated in this case; he is in custody since 29.05.2020; the narcotic drugs were allegedly recovered from a concealed compartment of a truck of which the petitioner had no knowledge; there is

no other criminal case in which the petitioner is involved; investigation in the matter is complete and therefore the petitioner is not in a position to influence the investigation; co-accused Gurpreet Singh alias Gopi who was the conductor of the truck of which the petitioner was the driver has already been granted regular bail by this Court and that the petitioner's trial, which is yet to commence, will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner was the driver of the truck in which 120 kilograms of poppy husk and 1 kilogram of opium were recovered.

Whether the aforesaid narcotic drugs which have allegedly been recovered from a truck had been put there with the knowledge of the petitioner would be debated during the course of the trial. However, the petitioner has already been in custody since 29.05.2020; he is not involved in any other criminal case; investigation in the matter is complete and therefore he is not in a position to influence the investigation; co-accused Gurpreet Singh alias Gopi who was the conductor of the truck of which the petitioner was the driver was granted regular bail on 14.01.2021 and that petitioner's trial which is yet to commence is likely to take a long time to conclude especially in the present circumstances when the world is facing the COVID-19 pandemic.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Jalandhar the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only

for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

13.08.2021

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No