

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-12648-2021 (O&M)

Date of Decision:-2.7.2021

Amarjit Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gaurav Sharma, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Sarabjit Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.154 dated 13.12.2019 at Police Station Tapa, District Barnala under Sections 18/25/29/61/85 of NDPS Act.
2. The FIR was lodged on the basis of secret information received by the police on 13.12.2019 to the effect that Jagsir Singh @ Seera (non-applicant) and Amarjit Singh (petitioner) indulged in sale of 'opium' in the State of Punjab by bringing the same from other States. The information was further to the effect that even on the given day they were carrying 'opium' in their truck. Pursuant to receipt of said information barricading was held and the

petitioner as well as Jagsir Singh @ Seera were apprehended while they were travelling in a truck and 6 kilograms of '*opium*' was recovered from the truck.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, since the identically situated co-accused Jagsir Singh @ Seera, who was apprehended alongwith the petitioner, has already been granted bail by this Court on 15.12.2020, the petitioner also deserves the same concession on grounds of parity.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and huge quantity of '*opium*' i.e. 6 kilograms was recovered from the truck in which the petitioner was travelling alongwith co-accused Jagsir Singh @ Seera, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 1½ years and that he is not involved in any other case. Learned State counsel has further informed that although charges have been framed but none of the cited PWs has been examined so far.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that an identically situated co-accused namely Jagsir Singh @ Seera has already been granted bail and while also bearing in mind that the petitioner has been behind bars since the last about 1½ years and conclusion of trial is likely to consume time as not even a single PW has been examined so far and while also noticing that the petitioner is not involved in any other case, further detention of the petitioner will not serve

any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

2.7.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No