

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

208

**CRM-M-13786 of 2021
Date of Decision: 06.08.2021**

Palwinder Singh @ Pindi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Gurpreet Singh Dhillon, Advocate,
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.87, dated 06.06.2019, having been registered at Police Station Gate Hakima, District Amritsar, alleging therein the commission of offences punishable under Sections 21, 22, 29, 61 and 85 of the NDPS Act, 1985, as also Section 67 of the Information Technology Act, 2000.

A reply to the petition has now been filed by the ACP, Central Amritsar City, dated 28.07.2021, which is ordered to be taken on record.

Learned counsel for the petitioner points to the fact that even as per the said reply, neither was any mobile phone recovered from the petitioner, nor

was any money recovered from him and nor in fact was even the telephone number as is shown to be used by him as per the report under Section 173 of the Cr.P.C. (reference page 33 of the petition), corroborated as being so used as per the cyber cell of the Punjab Police.

Learned State counsel on the other hand submits that as per the disclosure statement of his co-accused, Rs.60,000/- were given to the petitioner by his co-accused while he was in jail, for the purpose of supplying contraband to jail inmates.

Looking at the fact that at least as per what has been pointed out to this court, no recovery whatsoever has been made from the petitioner even of the money allegedly received by him in jail, and with nothing having been pointed contrary to the contention that even the cyber cell of the Punjab police has not connected any phone call to the petitioner directly, without making any comment on the actual merits of the case in any manner whatsoever, which naturally would be subject matter of evidence before the trial court, the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial court/Duty Magistrate concerned.

August 06, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No