

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

CRM-M-13880 of 2020.

Decided on:- February 17, 2021.

Amandeep Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Gautam Thapar, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, D.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.144 dated 03.09.2019 under Sections 22 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, the NDPS Act) registered at Police Station City Khanna, District Khanna.

Learned counsel for the petitioner has argued that the petitioner has been nominated in the case on the basis of disclosure statement made by co-accused Harwinder Singh @ Raja from whose conscious possession 35 injections of Rexogesic containing the salt of Buprenorphine Hydrochloride and 35 injections of Avil were recovered. Co-accused Harwinder Singh @ Raja has since expired. The petitioner is in custody for 1 year and 3 months and there is no other case against him. He relies upon the order dated 19.06.2020 passed by this Court in **CRM-M-14155 of 2020** titled as

Sukhwinder Kumar Versus State of Punjab wherein for the alleged recovery of 85 injections of Avil and 85 injections of Buprenorphine, the accused, who was in custody for more than 1 year and 4 months, was admitted on bail.

Learned State counsel does not dispute the custody of the petitioner and the quantity of contraband recovered from the co-accused.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody for 1 year and 3 months and is not involved in any other case and it is on the basis of disclosure statement made by co-accused Harwinder Singh @ Raja, the petitioner was named in this case, this Court deems it appropriate to grant the concession of regular bail to the petitioner.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

It is made clear that in case the petitioner is found indulged in any other case under the NDPS Act, the prosecution shall be at liberty to seek cancellation of his bail in this case.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

February 17, 2021
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No