

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201)

CRM No. M-17897-2021

Date of Decision : 20.05.2021

Jagseer Singh

....Petitioner

Versus

State of Punjab

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Barjinder Singh, Advocate for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 005, dated 08.01.2021, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Lehra, District Sangrur.

Learned counsel for the petitioner argues that no recovery of any contraband has been done from the petitioner and the petitioner has only been roped in the present FIR on the basis of disclosure statement of co-accused, namely, Chamkaur Singh @ Neeta and Gurpreet Singh. Learned counsel for the petitioner submits that the said disclosure statement is not admissible and even the said statement is yet to be proved during the trial. Learned counsel further submits that there are no other cases pending against the petitioner and in this case, the petitioner has done no wrong so as to involve him of any violation of NDPS Act, 1985.

Notice of motion.

Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab,

who has joined the proceedings through video conference, keeping in view the

service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel does not dispute the fact that petitioner has been roped in this case on the basis of the disclosure statement of co-accused, namely, Chamkaur Singh @ Neeta and Gurpreet Singh. Learned State counsel further concedes that no recovery of any contraband has been done from the petitioner and there are no other cases pending against him.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The challan in the present case has already been submitted. Once, concededly no recovery of contraband has been done from the petitioner and there are no other cases pending against him, keeping the petitioner behind the bars during the trial will serve no useful purpose, especially, in the present situation which has arisen due to pandemic of Covid-19, petitioner is granted the benefit of regular bail.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

May 20, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

<i>Whether reasoned/speaking?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>