

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

CRM-M-18398 of 2021

Date of Decision: 07.07.2021

Hardeep Singh @ Deep @ Mota

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Vijay K. Jindal, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case FIR No.142 dated 28.10.2020 under Sections 21, 25 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station STF SAS Nagar Mohali.

As per the allegations in the FIR, 500 grams of Heroin was recovered from three accused namely, Galwinder Singh @ Sarpanch, Randeep Singh @ Deepu and Navjot Singh @ Jota.

Learned counsel for the petitioner has argued that the name of the petitioner is surfaced on the basis of disclosure statement suffered by co-accused Galwinder Singh @ Sarpanch , who stated that the petitioner was also involved. Thereafter the petitioner was arrested on 28.10.2020 and on disclosure 258 grams of Herion was allegedly recovered from his house.

Learned counsel for the petitioner argued that the alleged

258 grams is not the weight of the contraband it also includes the weight of the polythene and the wrapper. The petitioner is in custody since 28.10.2020 and the challan stands presented.

In view of the above and the fact that the trial is unlikely to conclude in near future more so in the wake of outbreak of pandemic COVID, no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner-Hardeep Singh @ Deep @ Mota is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, Chief Judicial Magistrate, concerned.

However, in case the petitioner indulges in any similar activity while on bail, the prosecution agency will be at liberty to seek the cancellation of the order granting bail to the petitioner.

[HARINDER SINGH SIDHU]
JUDGE

July 07, 2021
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Whether speaking/reasoned
Whether reportable?

yes/no
yes/no