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

**CRM-M No.18873 of 2021
Date of Decision: 27.05.2021**

MANGAL SINGH NAMBARDAR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. Sukhbeer Singh, Asstt. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.173 dated 13.06.2020, registered under Sections 21 and 29 of the NDPS act, 1985 at P.S. Sultanpur Lodhi, District Kapurthala.

As per allegations, a motorcycle followed by Brezza Car was stopped by the police party and 1.5 kgs. of heroin was recovered from the occupants of motorcycle which was kept between them. The occupants of the motorcycle came to be known as Davinder Singh @ Bara (son of the petitioner) and

Balwinder Singh. There were two persons in the Brezza Car which was following the motorcycle. The car did not stop at the Naka. Petitioner was driving the car and Kuldeep Singh @ Kala was the co-occupant.

Learned counsel for the petitioner submitted that the petitioner has been nominated on the basis of disclosure statements of Davinder Singh @ Bara and Balwinder Singh. They have stated that all the four accused were going to distribute the heroin in question to different consumers. Name of the consumers have not come forth. Co-accused Davinder Singh @ Bara and Balwinder Singh have been granted bail under Section 167(2) Cr.P.C by the Judge, Special Court, Kapurthala on 16.12.2020. After filing of challan, charges have not been framed so far and the petitioner is in custody since 20.12.2020. Nothing has been recovered from the petitioner. Involvement of the petitioner on the basis of disclosure statements of the co-accused would remain debatable.

Factual position of the case could not be disputed by learned State counsel, however he opposed the bail on the basis of gravity of offence.

In view of above, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

May 27, 2021	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No