

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**CRM-M No.20323 of 2021
Date of Decision: 26.05.2021**

Manpreet Singh @ Mani

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Charanpreet Singh, Advocate for the petitioner.

ALKA SARIN, J. (Oral)

Heard through video conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.38 dated 20.04.2019 under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Kathgarh, District SBS Nagar.

Learned counsel for the petitioner would contend that the co-accused, namely, Talwinder Singh @ Binder, who was apprehended at the spot with 260 gms. of Heroin has since been granted regular bail by this Court vide order dated 18.01.2021 passed in CRM-M-42555-2020. Learned counsel for the petitioner would further contend that the petitioner has been nominated only on the disclosure statement of the aforesaid co-accused, who has already been granted regular bail by this Court. Learned counsel for the petitioner contends that there is one other case pending against the petitioner, however, that is for the recovery of small quantity and he has since been granted bail in that case.

Notice of motion.

On the asking of the Court, Ms. Bhavna Gupta, DAG Punjab, who has joined the session through video conferencing, accepts notice on behalf of the respondent-State. She, on instructions from ASI Jarnail Singh, is not in a position to deny that except for the disclosure statement of the co-accused, namely, Talwinder Singh @ Binder, who has since been granted regular bail by this Court, there is nothing against the petitioner and no recovery has been affected from him.

I have heard learned counsel for the parties.

In view of the above and without commenting upon the merits of the case, I deem this to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

(ALKA SARIN)
JUDGE

26th May, 2021
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO