

CRM-M-22106-2021

Date of Decision: 16.11.2021

Jarnail Singh @ Jelly

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Harkirat Singh Bhogal, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, the petitioner seeks the concession of 'pre-arrest bail', upon FIR No. 33 having been registered at Police Station Aur, District S.B.S. Nagar, on 23.05.2021, alleging therein the commission of offences punishable under the provisions of Sections 21 & 22 of the NDPS Act, 1985.

Pursuant to the order dated 28.09.2021, another affidavit of the Deputy Superintendent of Police, Nawanshahr, District SBS Nagar, dated 15.11.2021, has been filed, which is ordered to be taken on record.

As per the said affidavit, photographs were taken (annexed with the affidavit), showing a sale and purchase of certain objects, with money also being thrown on the street and objects being lowered by a string, with the DSP stating that in fact the said objects were contraband.

Without making any comment on the actual merits of the case, however, in view of what has been stated very clearly by the DSP, I do not

think this is a petition in which the petitioner can continue to remain on bail under the provisions of Section 438 of the Cr.P.C. Therefore this petition is dismissed with the interim order passed in favour of the petitioner hereby vacated.

[It is to be noticed that learned counsel for the petitioner has submitted that the petitioner is not seen in any of the photographs annexed with the petition.

However, learned State counsel draws attention to the fact that as per the affidavit the house in question itself belongs to the petitioner.]

November 16, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.