

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.20140 of 2020 (O&M)
Date of Decision.25.01.2021
(Heard through VC)

Sunil Singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Manpreet Ghuman, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

CRM No.1360 of 2021

Application is allowed as prayed for.

Annexure A-1 is taken on record, subject to all just exceptions.

CRM-M No.20140 of 2020

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.152 dated 02.09.2019 registered under Sections 22, 25 of the NDPS Act (Section 29 of the NDPS Act added later on) at Police Station Barnala, District Barnala, who is in custody since 06.09.2019.

Counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the said matter. She relies upon *ruqa* dated 02.09.2019 (Annexure A-1), which would reflect that the ASI was in a private vehicle at the time of patrolling and when the alleged recoveries were made, which would be against the directions issued by the State of Punjab. It is also submitted that the investigation is complete and the

challan stands presented, therefore, the petitioner is entitled for concession of bail.

Learned counsel appearing on behalf of the respondent-State opposes grant of bail to the petitioner but she does not dispute the fact that the ASI was in private vehicle at the time of partolling.

I have heard learned counsel for the parties and have perused the paper book.

Keeping in view the fact that as per ruqa (Annexure A-1), the ASI was in a private vehicle at the time of patrolling and when the alleged recoveries were made, which is in contravention to the directions issued by the State of Punjab and the fact that the investigation is complete and the challan stands presented, no useful purpose would be served by keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

January 25, 2021
Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No