

CRM-M-25319-2021

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

CRM-M-25319-2021

Date of decision:25.08.2021

Rupa Singh @ Rupa

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vipul Jindal, Advocate,
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G.Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.10 dated 18.03.2021 registered under Sections 21, 27-A, 25 and 29 NDPS Act, 1985, at Police Station Special Operation Cell, Amritsar.

Learned counsel for the petitioner submits that the present case has falsely been foisted upon the petitioner; that as per the prosecution version, the petitioner was apprehended on the basis of a secret information and the alleged recovery of Rs.2,95,000/- (stated to be the drug money) had been effected from him, but the link evidence regarding the said money allegedly recovered from him is missing. Moreover, it is a case of no recovery of the contraband and does not fall under the NDPS Act, 1985. He further submits that the petitioner has been in custody since 18.03.2021. The petitioner is not involved in any other case, at least of a similar nature.

On the other hand, learned State counsel while opposing the submissions made by the learned counsel for the petitioner, relies upon a

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disclosure statement of the petitioner (Annexure R-1), to contend that he had been in touch with Pakistan based smugglers on mobile.

I have heard the learned counsel for the parties.

No contraband has been recovered from the petitioner. He has been in custody since 18.03.2021. Trial is unlikely to conclude any time soon. The petitioner is not involved in any other case, at least of a similar nature. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

25.08.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No