

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH  
(through video conferencing)**

CRM-M-25383-2021  
Decided on : 25.08.2021

Jatinder Singh @ Tiddi

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Umesh Aggarwal, Advocate  
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

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**Manjari Nehru Kaul, J.**

This is the second petition filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.20 dated 02.02.2021 registered under Sections 21(c)/25 NDPS Act, 1985 (Sections 29/61/85 NDPS Act added later on) at Police Station STF Phase-4, SAS Nagar, Mohali.

Learned counsel for the petitioner *inter alia* contends that subsequent to the withdrawal of the petition on 25.05.2021, Final Report under Section 173 Cr.PC stands presented before the Court below. He submits that the petitioner has been implicated in the case in hand on the basis of a disclosure statement allegedly made by co-accused Inderpal Singh from whom recovery of 1.20 kgs of heroin was effected. He further submits that the evidentiary value of such disclosure statement is of a weak nature. The petitioner has been in custody since 06.03.2021 and there is no likelihood of the trial concluding in the near future. Hence, a prayer has been made for extending the concession of bail to the petitioner.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner. He has very fairly admitted that it was only co-accused Inderpal Singh, who named in the secret information received by the investigating agency and as far as petitioner is concerned, he was neither named in the secret information nor any recovery of contraband effected from him pursuant to the disclosure statement of the co-accused. He, on instructions from SI Sumit Singh has submitted that the petitioner is not involved in any other criminal case much less under the NDPS Act.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 06.03.2021, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

25.08.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No