

211

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

**CRM-M No.25916 of 2021
Date of Decision:16.07.2021**

CHIRANJI LAL ALIAS GOGIPetitioner
Vs
STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Parshant Mahajan, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G. Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.21 dated 02.02.2021, registered under Section 21 of NDPS Act at Police Station Special Task Force Phase 4, District SAS Nagar (Mohali).

As per allegations in the FIR, the petitioner Chiranji Lal, Parveen Singh and Sona Singh were found preparing and packaging the contraband and they were waiting for the customers. All the three accused persons were arrested by the Police and 270 grams of heroin was recovered. Co-accused

namely Gurjant Singh and Angrej Singh were standing at some distance but in close vicinity of the place of recovery.

Learned counsel for the petitioner submits that out of three persons arrested at the spot, co-accused Parveen Singh and Sona Singh have been granted regular bail vide order dated 06.07.2021 passed in CRM-M No.20180 of 2021 and CRM-M No.17994 of 2021 respectively. Co-accused Gurjant Singh and Angrej Singh have been granted interim protection by the High Court in CRM-M No.12996 of 2021 and CRM-M No.18359 of 2021 respectively. The case of the petitioner is at par with complicity of co-accused namely Parveen Singh and Sona Singh.

Learned counsel further submits that the alleged recovery of heroin is marginal in excess of the quantity prescribed for commercial category. Learned counsel further relies upon **Shinda vs. State of Punjab, 2013(3) R.C.R. (Criminal) 557** and **Lakhwinder Singh @ Bittu vs. State of Punjab, 2012(22) R.C.R. (Criminal) 301.**

Learned State counsel however opposed the bail but factum of grant of regular bail to the similarly situated co-accused namely Parveen Singh and Sonu Singh could not be disputed. Petitioner is not involved in any other case.

Looking to the aforesaid facts and in view of the situation arising out due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail without advertng to the merits of the case.

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

16.07.2021

Amandeep

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No