

In virtual Court

CRM-M-26268-2021

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26268-2021 (O&M)

Date of decision: 22.07.2021

Gaurav Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Charanpreet Singh, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

This is 2nd petition for grant of regular bail in FIR No.210 dated 04.10.2019 under Sections 22/29/25 of NDPS Act, registered at Police Station Sadar Jagraon, District Ludhiana.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of ASI Gursewak Singh, when he was on patrol duty along with co-officials, he received a secret information that co-accused Rajveer Singh and Pawan Kumar are indulged in the business of

procuring intoxicant tablets from U.P. and they are going to supply the same in different cities of Punjab. It is further stated that they along with three other persons are coming in Bolero bearing registration No.UP-26-AB-2238 with huge quantity of intoxicant tablets. Thereafter, information was sent to the police station and second Investigating Officer SI Chamkaur Singh was deputed, who put barrier and stopped the aforesaid vehicle, in which five persons including the petitioner were travelling. From search of dashboard of the vehicle, one envelope containing 200 gm intoxicant powder and from the backseat, a bag containing 25200 intoxicant tablets of Alprazolam 0.5 mg were recovered.

Learned counsel for the petitioner has further submitted that there are moot points involved in the case regarding recording of consent of the petitioner on the consent memo as well as compliance of Section 42 of NDPS Act, which are to be decided during the course of trial. It is also submitted that driver of the car was one Krishan Kumar and the petitioner was not named in the secret information. It is further submitted that the petitioner is in long custody of 01 year, 09 months and 12 days and is not involved in any other case and till date, charges have not been framed.

Learned State counsel has filed the custody certificate dated 22.07.2021 in the Court today and has not disputed the factual position.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that the petitioner is in custody for the last 01 year, 09 months and 12 days; he is not named in the

In virtual Court

CRM-M-26268-2021

-3-

secret information and is not involved in any other case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

22.07.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No