

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

CRM-M-28296 of 2021 (O&M)

Date of Decision: 13.10.2021

Sani Singh @ Mani

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Ms. Amandeep Kaur Gill, Advocate for the petitioner.

Mr. Amitoj Singh, DAG, Punjab.

HARINDER SINGH SIDHU, J

Crl.M.No.33682 of 2021

Prayer is for preponing the date of hearing.

Notice of the application.

Sh. Amitoj Singh, DAG, Punjab accepts notice on behalf of respondent-State of Punjab.

For the reasons recorded in the application, which is supported by an affidavit, the same is allowed and the matter is taken up for hearing today itself.

Main case

Prayer is for grant of regular bail in case FIR No.0005 dated 18.01.2021 under Sections 22-C,25,29/61/85 of NDPS Act registered at P.S Dhanaula, District Barnala.

As per allegations in the FIR, on receipt of secret information, a naka was laid. Co-accused Paramjit Singh and Sheeshu Singh, who were travelling in a Santro Car were apprehended and 1,25,000 intoxicating tablets make Clovidol-100SR were recovered from their possession.

It is the case of prosecution that co-accused Paramjit Singh during his interrogation revealed that his son Gurpreet had fallen into a bad company. He used to procure the contraband and sell the same in connivance with Pali and Sheeshu Singh. They possessed two Santro cars. It is further disclosed that Sheeshu Singh was asked by his son Gurpreet to hand over the contraband to Binder Kaur and Mani Singh (petitioner). On the disclosure statement, the petitioner was arrested on 16.04.2021.

Learned counsel for the petitioner contends that no recovery has been effected from the petitioner. His name has surfaced only on the basis of disclosure statement of co-accused and that he is in custody for the last about six months. Investigation in this case is complete and challan has been filed. He has only one case registered against him under the provisions of NDPS Act in which he is on bail.

Without commenting anything on the merits of the case and also bearing in mind the fact that the trial is likely to take sufficient time to conclude, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioner Sani Singh @ Mani is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, in case the petitioner is found indulging in similar criminal activity, while on bail, the prosecution agency will be at liberty to seek the cancellation of the order granting bail to the petitioner.

This present petition stands allowed accordingly.

October 13, 2021
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No