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

CRM-M-35468-2020

Date of Decision: 27.07.2021

MANPREET SINGH @ HALLY

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. Ajay Pal Singh Gill, AAG, Punjab
assisted with ASI Sukhdev Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in a case registered against him vide FIR No.110 dated 06.09.2019 at Police Station Longowal, District Sangrur, under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985.

2. The FIR was lodged on the basis of secret information to the effect that Happy Singh @ Beeru and Anmol Singh @ Anu indulged in sale of intoxicant tablets and that even on the given day they were proceeding on their motorcycle bearing registration No.PB-08-BK-7642 for sale of intoxicant tablets and that they procured the said tablets from Manpreet Singh (petitioner), who is confined in jail.

3. Pursuant to receipt of aforesaid information, barricading was

held and the police was able to intercept Happy Singh @ Beeru and Anmol Singh @ Anu and from whose possession 3700 tablets of Tramadol were recovered. It is further the case of the prosecution that during the course of interrogation, they disclosed that the said contraband had been supplied to them by Manpreet Singh.

4. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case on the basis of disclosure statement and secret information, which would hardly carry any evidentiary value. It has further been submitted that even as per the FIR, the petitioner, as on the day of occurrence, was behind bars and as such, could not have possibly supplied the contraband to the co-accused from whom the same is alleged to have been recovered.

5. Opposing the petition, learned State counsel has submitted that since there was specific and categoric information against the petitioner as well and since even the co-accused from whom the recovery had been effected, specifically named the petitioner, no case for grant of bail is made out particularly since he happens to be involved in 4 other cases as well. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 1 year and 9 months and that as on date only 3 PWs out of cited 16 PWs have been examined.

6. I have considered the rival submissions addressed before this Court.

7. It is not in dispute at all that the petitioner was never arrested at the spot and in fact was already confined in jail, when the alleged recovery was effected. The petitioner has been behind bars for a substantial period of 1 year and 9 months and till date only 3 PWs out of cited 16 PWs have been

examined. As such, it goes without saying that conclusion of trial is likely to take substantial time. Further detention of the petitioner, in these circumstances, would not be justified. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

27.07.2021

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**(GURVINDER SINGH GILL)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No