

Karnail Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Lakshay Bector, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed under the provisions of Section 439 of the Cr.P.C., for grant of 'regular bail' to the petitioner in the context of FIR No. 114, dated 25.08.2021, registered at Police Station Shimlapuri, District Ludhiana, for the alleged commission of offences punishable under the provisions of Sections 21/22 of the NDPS Act, 1985.

Today, an affidavit dated 27.10.2021, executed by the Assistant Commissioner of Police, Industrial Area-B Ludhiana, has been filed by learned State counsel, which is ordered to be taken on record.

In the affidavit, after giving the basic facts in the FIR, it has been stated that the petitioner, Karnail Singh, is the owner of the house near the house where recovery was effected by the investigating officer from Raveena and Gurmeet Kaur, with learned counsel for the petitioner submitting that Raveena is the daughter of the petitioner.

Thus, the entire recovery having been made obviously from the aforesaid Gurmeet Kaur and Raveena, simply because a secret informer told the police that the petitioner as also his sons were also indulging in the sale of intoxicating tablets, with the petitioner obviously not being present at the spot at that time, I would see no reason to not allow the petition and the petitioner to remain on bail.

Consequently, the petition is allowed, with the order passed on 01.11.2021 admitting the petitioner to interim bail, made absolute on the same terms and conditions, even in terms of Section 37 (1) (b) (ii) of the NDPS Act, 1985.

Naturally, all observations made in the orders passed in this petition are only in the context of a petition filed under the provisions of Section 438 of the Cr.P.C.

It is to be noticed that learned State counsel has submitted at this stage, on instructions from SI Jaspreet Kaur, that the petitioner has joined investigation and is also cooperating with the investigation.

November 26, 2021
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.