

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.42002 of 2020
Date of Decision: August 19, 2021

Ranjit Singh @ Rana

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ankit Kharbanda, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.36 dated 14.04.2020, under Sections 29, 30, 27-A, 61, 85 N.D.P.S.Act, 1985, registered at Police Station, Gharinda, District Amritsar Rural, who is in custody since his arrest on 14.04.2020.

As per the prosecution case, during intervening night of 13/14.04.2020, Ranjit Singh along with co-accused Sakattar Singh was apprehended by the patrolling party of BSF and when they were interrogated, they disclosed that they had contacted one Afzal, who is Pakistani drug smuggler/peddler and they were conducting recce of the area for receiving consignment of heroin to be thrown over the fence. On these broad allegations, the present FIR was registered.

Learned counsel for the petitioner has argued that the petitioner is in custody for a long period and the trial is likely to consume considerable

time to conclude. He submits that the co-accused of the petitioner, namely, Sakatar Singh @ Sakattar Singh has already been granted the concession of regular bail vide order dated 06.10.2020 (Annexure P-3). He further submits that the petitioner is not involved in any other of similar nature and prays for bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by ASI Rajbir Singh, on the ground that the matter is serious. However, it is not disputed by him that the co-accused has already been released on bail and the petitioner is not involved in any other case, much less of similar nature.

After hearing the learned counsel for the parties and considering the fact that similarly situated co-accused of the petitioner has already been released on regular bail, this court is of the opinion that the further custody of the petitioner may not be necessary for any useful purpose, who is presently confined in judicial custody after his arrest on 14.04.2020. Further, the prosecution is yet to examine its witnesses and it may take considerable time to conclude the trial.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Amritsar.

August 19, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No