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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.42458 of 2020  
Date of Decision: 03.03.2021

**BINDER SINGH @ BALWINDER SINGH .....Petitioner**  
**Vs**  
**STATE OF PUNJAB .....Respondent**

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Mr. Amandeep Singh Gill, Sr. D.A.G., Punjab.

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**RAJ MOHAN SINGH, J.(Oral)**

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.275 dated 22.09.2018, registered under Sections 15 & 29 of the NDPS Act at P.S. Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner submitted that there is some typographical error in para No.3 of the petition. Father's name of the petitioner is Kartar Singh.

Father's name of Ranjit Singh was also wrongly described as Sadhu Singh. Infact, Ranjit Singh is son of Sardara Singh. Initially Ranjit Singh and the petitioner filed petition under Section 438 Cr.P.C. before the Court of Sessions which was

dismissed and thereafter they filed CRM-M No.50332 of 2018 and CRM-M No.52722 of 2018. The aforesaid petitions were ultimately dismissed by the High Court on 11.03.2019. Thereafter co-accused Ranjit Singh was arrested and the petitioner remained unsuccessful even before the Hon'ble Apex Court. Thereafter the petitioner surrendered before the trial Court on 30.10.2020.

The allegations are that the accused persons being the gang members used to deal in poppy husk by bringing the same from Jammu and Kashmir in apple boxes for supply of the same in village namely Saincha, Latianwal and Toti. As per allegations, they were bringing poppy husk in huge quantity under the boxes of Apples for sale to their customer namely Balwinder Singh @ Ladda and others. They had unloaded the apple boxes from the truck for giving the same to their customers. At that time, the police conducted the raid and 24 bags of poppy husk, each weighing 20 kilograms were recovered. All the accused ran away from the spot.

Co-accused Kala Singh has already been granted regular bail by the High Court vide order dated 09.12.2019 passed in CRM-M No.29267 of 2019. Co-accused Ranjit Singh filed CRM-M No.1726 of 2020 and the same was allowed vide order dated 22.01.2020 after noticing that Ranjit Singh was

nominated in the disclosure statement of Balwinder Singh @ Ladda. On parity with Kala Singh, Ranjit Singh was also granted regular bail.

In view of aforesaid factual position, petitioner seeks regular bail on parity with Kala Singh and Ranjit Singh.

The factual details could not be disputed by learned State counsel, however he opposed the bail on the ground of huge recovery from the truck. Challan has already been presented, but charges have not been framed so far.

In view of aforesaid circumstances, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail on parity with co-accused Kala Singh and Ranjit Singh.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 03, 2021

*Atik*

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)**  
**JUDGE**

Yes/No

Yes/No