

**In The High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-47356-2021 (O&M)  
Date of Decision:- 18.11.2021

Amarjit Singh @ Laddi

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

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

Mr. Ajay Pal Singh Gill, DAG, Punjab,  
assisted by SI Kewal Singh.

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**GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has approached this Court seeking grant of regular bail in a case registered vide FIR No.38, dated 21.3.2021, Police Station Fattudhinga District Kapurthala, under Sections 21b), 29 of NDPS Act and Section 25 of Arms Act.
2. The case of prosecution, in nutshell, is that on 21.3.2021, Lakhwinder Singh, Dilraj Singh and Jagroop Singh were found in possession of 150 grams of 'Heroin'. A country made pistol was also recovered from Dilraj Singh. It is further the case of prosecution that during the course of interrogation, co-accused Lakhwinder Singh disclosed that they had procured the contraband from the petitioner.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case and was never ever present near the place of recovery. It has been submitted that the alleged disclosure statement of co-accused can hardly be said to be convincing evidence so as to connect the petitioner with the alleged occurrence. It has further been submitted that the petitioner in any case has been behind bars since the last about two and a half months and co-accused who were apprehended at the spot have already been released on bail.
4. Opposing the petition, learned State counsel has submitted that the petitioner happens to be involved in 12 other cases including 5 cases registered under the NDPS Act and that he does not deserve the concession of bail.
5. I have considered rival submissions addressed before this Court.
6. Undisputedly it is a case of recovery of non-commercial quantity of contraband. Admittedly the petitioner was not arrested at the spot and was nominated on the basis of a disclosure statement, the veracity and admissibility of which would be debatable. Though, the petitioner is stated to be involved in 5 other cases registered under NDPS Act, but this Court cannot lose sight of the fact that the instant case is a case based on a disclosure statement and the petitioner has undergone about two and a half months. In these circumstances further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume time. 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.

18.11.2021

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( GURVINDER SINGH GILL)  
JUDGE

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|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |