

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

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**CRM-M-43465-2020 (O&M).
Date of Decision: 01.04.2021.**

Ramandeep Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Ms. Manpreet Ghuman, Advocate for the petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

CRM-2407-2021

Allowed, as prayed for.

CRM-2409-2021

Copies of Form No.20-Licence and Order dated 16.12.2020 passed in CRM-M-42265-2020 (Annexures P-1 and P-2) are taken on record, subject to all just exceptions.

CRM is allowed.

CRM-M-43465-2020

This petition under Section 439 Cr.P.C has been moved by petitioner-**Ramandeep Singh** for grant of regular bail in case FIR No.280 dated 08.11.2020 under Section 22 of NDPS Act (Sections 25, 27 and 29 of NDPS Act added lateron), registered at Police Station City Sunam, District Sangrur.

Learned counsel for the petitioner *inter alia* contends that the allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. She further urges that petitioner was not named in the FIR and his name cropped up in the array of accused in view of disclosure statement rendered by co-accused Pankaj. She further urges that allegedly 20000 tablets of *Tramadol* were recovered from co-accused Pankaj and as such said recovery of contraband cannot be termed as from conscious possession of the petitioner. She further urges that though as per allegations as mentioned in the disclosure statement of co-accused Pankaj, some contraband was supplied by him (Pankaj) to the petitioner being proprietor of Deep Medical Hall, whereas there is no iota of truth in that disclosure statement as petitioner has no nexus whatsoever with Deep Medical Hall and, in fact, he is co-partner in Chauhan Medical Hall as is evident from copy of Licence (Annexure P-1). She further urges that alleged recovery of 50 tablets of *Tramadol* Hydrochloride from the petitioner is planted one just to involve him in the instant case and even otherwise said quantity falls within the ambit of 'small quantity' and as such rigours of Section 37 of NDPS Act cannot be attracted against the petitioner. She further urges that petitioner is in custody since 10.11.2020 and he is no more required by the Police for any investigation purpose. She further urges that on these very allegations, co-accused Mehroj Kumar @ Mehroj Jain has already been extended concession of regular bail by this Court, vide order dated 15.01.2021 passed in CRM-M-42676-2020. She further submits that *Challan* has already been presented in the Court and since consequent trial would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have gone through the contents of petition as well as documents available on record.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 10.11.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in the Court and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Ramandeep Singh** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Sangrur, as the case may be.

(LALIT BATRA)
JUDGE

01.04.2021

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Whether speaking/reasoned	:	Yes/ No
Whether reportable	:	Yes/ No