

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-47802-2021

DATE OF DECISION: NOVEMBER 23, 2021

BHAGWAN SINGH @ BHANA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. G.S. NAHEL, ADVOCATE
FOR MR. L.S. SEKHON, ADVOCATE
FOR THE PETITIONER.

MR. RAMANDEEP SINGH 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.175 dated 24.6.2014, under Section 15 and 25 NDPS Act, Police Station Dharamkot, District Moga who is in custody since his arrest on 16.1.2020.

As per the allegation levelled in the FIR, on 24.6.2014, when Inspector Satwinder Singh of Police Station Dharamkot was on patrol duty alongwith other police personnel, he received a secret information that the petitioner, Karamjit Singh, Balwinder Singh, Jeet Singh, Shinderpal Singh, Manjinder Singh and Amrik Singh who are renowned smugglers would be coming towards Moga in Canter bearing registration No.PB-13W-9333 with heavy contraband of poppy husk. Finding the information to be credible, barricading was done and the said Canter was intercepted, but three persons fled away, however, the driver of the canter was nabbed who disclosed his name as Karamjit Singh. Upon search, 31 bags of poppy husk weighing

1085 kgs. in total were recovered from the Canter. On these broad allegations, the present FIR was registered.

Learned counsel for the petitioner contends that the petitioner was not arrested at the spot and a false case has been planted upon him. Learned counsel further submits that investigation of the case is complete and the charges have been framed on 18.7.2020, therefore, further custody of the petitioner may not be necessary. He prays that the petitioner be released on regular bail during the pendency of the trial.

On the other hand, learned counsel for the State assisted by ASI Buta Singh has opposed the aforesaid prayer and has stated that out of 14 prosecution witnesses, 10 have already been examined. He has further produced the custody certificate of the petitioner which indicates that apart from the above FIR, he is involved in three more cases of similar nature.

Considering the above background, particularly the advanced stage of trial, no case is made out for releasing the petitioner on regular bail.

Dismissed.

November 23, 2021
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No