

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.731 of 2021 (O&M)
Date of Decision.17.02.2021
(HEARD THROUGH VC)

Mangal Singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Inder Pal Singh, Advocate
for the petitioner.

Ms. Rashmi Attri, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of anticipatory bail in FIR No.0135 dated 18.10.2020 registered under Sections 21C, 25 & 29 of the NDPS Act, Section 307, 34 IPC and Section 25 of the Arms Act at Police Station Special Task Force, District Mohali.

Counsel for the petitioner *inter alia* would contend that the petitioner has been falsely implicated in the said matter as he has been nominated in the FIR on the basis of disclosure statement made by the co-accused. No specific role has been attributed to the petitioner. The petitioner is ready to join investigation.

Learned counsel appearing on behalf of the respondent-State opposes grant of bail to the petitioner by contending that the petitioner herein along with co-accused opened fire upon the police party and upon conducting raid 310 grams of heroin had been recovered from the co-accused Balraj Singh and therefore, custodial interrogation of the petitioner

is required.

I have heard learned counsel parties and have perused the paper book.

On the basis of secret information received both the petitioner herein and the co-accused Balraj Singh were named in the FIR. Upon conducting raid by the police party, there was a recovery of 310 grams of heroin from the co-accused Balraj Singh. There is a specific allegation that Balraj Singh and his companion, who has been identified as Mangal Singh i.e. the petitioner herein, fired shots upon the police party causing injuries to one of the police personnel.

In view of the aforementioned facts and circumstances, this court is of the opinion that custodial interrogation of the petitioner would be required. Consequently, the instant petition stands dismissed. Any observations made herein are only for the purpose of deciding the bail application and not to be construed as an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

February 17, 2021

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No