

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.49887 of 2021
Date of Decision: December 03, 2021

Gurmeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Laghuinder Singh Sekhon, Advocate,
for the petitioner.

Mr.Ramandeep 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.265 dated 17.11.2019, under Sections 22, 29 N.D.P.S.Act, 1985, Sections 192 and 207 Motor Vehicles Act, 1988, registered at Police Station, City Sunam, District Sangrur, who is in custody since his arrest on 13.05.2021.

As per the FIR, on 17.11.2019 at about 2.30 p.m., SI Gurmail Singh received a secret information to the effect that Vicky Singh son of Nek Singh, resident of New Grain Market, Sunam, who used to sell intoxicant tablets supplied to him by Gurmeet Singh son of Pappu Singh, resident of opposite Railway Station, Sunam, is going to sell intoxicant tablets to his customers from his house and in case a naka is laid near Water Tank Grain Market, Sunam, Vicky Singh can be apprehended along with

huge quantity of intoxicant tablets. Believing the information to be correct, the present FIR was registered against Vicky Singh and Gurmeet Singh. Vicky Singh was arrested on 17.11.2019 and 2250 intoxicant tablets of Clovidol-100 SR were recovered from him.

Learned counsel for the petitioner contends that the alleged contraband (2250 tablets of Clovidol-100 SR) was recovered from co-accused Vicky Singh and at that time, the petitioner was in custody in FIR No.193 dated 15.11.2019, under Sections 22, 25 and 29 N.D.P.S.Act, Police Station, Barnala, District Barnala. He submits that in the present case, petitioner has been arraigned as an accused under Section 29 N.D.P.S.Act. He further submits that the investigation of the case is complete, therefore, the petitioner be released on bail.

On the other hand, learned State counsel, assisted by ASI Balkar Singh, has opposed the prayer on the ground that the name of the petitioner was given by the secret informer, however, it is not disputed that the petitioner was not present at the spot when the recovery was made from his co-accused.

After hearing the learned counsel for the parties and considering the above background, this court finds that the trial is yet to commence, therefore, considering his period of custody, this court does not find any reason to decline the prayer, particularly when the material witnesses are the police officials and there does not seem to be any possibility of their being won over.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail

bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty
Magistrate, Sangrur.

December 03, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No