

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

**226**

**CRM-M-2065-2022  
Date of decision : 24.01.2022**

**GURLAL SINGH**

..... Petitioner

**VERSUS**

**STATE OF PUNJAB**

..... Respondent

**CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

\*\*\*

Present :- Mr. L. S. Sidhu, Advocate  
for the petitioner.

Mr. Arun Kumar Kaundal, DAG, Punjab.

(Through video conferencing)

\*\*\*

**Harsimran Singh Sethi, J. (Oral)**

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.63 dated 22.06.2017 under Sections 22/25/61/85 of NDPS Act, registered at Police Station Fatehgarh Panjtoor, District Moga.

Learned counsel for the petitioner submits that in the said FIR, two co-accused, from whom the contraband was recovered, have already been convicted and after their conviction, the petitioner has been arrested on the ground that the motorcycle involved in the case belonged to the petitioner. He further submits that petitioner was not blamed in any manner with regard to the possession of banned intoxicant tablets when the co-accused were being tried or convicted and even as of now, nothing has come on record to show that the petitioner was involved in any manner in the alleged incident as, the said motorcycle was taken by one of the co-accused citing some other purpose.

Learned State counsel submits that initially, appropriate

proceedings against the petitioner could not be undertaken though, the name of the petitioner had surfaced during investigation as the owner of the motorcycle used in the incident.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the co-accused, from whom the recovery of contraband was done has already been convicted and now the petitioner has been involved only on the ground that the motorcycle used by them belonged to the petitioner and the allegations whether the petitioner knew about the conduct of the said co-accused is yet to be proved during the trial and the trial is likely to take some time before it concludes keeping in view the situation of pandemic of Covid-19, Courts are working in a restrictive manner coupled with the fact that no contraband was ever recovered from the petitioner, no useful purpose will be achieved by keeping the petitioner behind the bars during the entire period of the trial, especially when the learned counsel for the petitioner has undertaken before this Court to maintain a good conduct if granted concession of regular bail.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**24.01.2022**

rimpal

Whether speaking/reasoned  
Whether Reportable :

Yes  
No