

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-2455-2022

Date of Decision: 5.4.2022

Ranjit Singh alias Rana

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. D.S.Pheruman, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.327 dated 30.11.2014 registered for the offences punishable under Sections 22 of NDPS Act at Police Station Patti, District Tarn Taran.

As per judgment (Annexure P-2) dated 2.3.2021 passed by the Court of Judge, Special Court, Tarn Taran, co-accused Satnam Singh @ Satta, who faced the trial, was acquitted and in the said judgment, there was a clear observation that Investigating Officer, ASI Manpreet Singh was not holding substantive rank of ASI when the alleged recovery was effected. State counsel on instructions from ASI Malkit Singh, has apprised the Court that till date, no appeal has been filed by the State against the aforesaid judgment whereby co-accused Satnam Singh @ Satta was acquitted, thus, making it clear that ASI Manpreet Singh who investigated the case, was not legally competent to do so, as he was holding local rank of ASI at the time

undergone actual custody for a period of 10 months and 24 days and is involved in another case.

As co-accused Satnam Singh @ Satta has been acquitted in this very case on technical ground, no purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

April 5, 2022

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No