

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-2466 of 2022 (O&M)

Date of Decision: 27th April, 2022

Inderjit Singh @ Gaggi

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Amarinder Kaur, Advocate for the petitioner.
Mr. Amit Mehta, Senior DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

This is a petition seeking regular bail in FIR No. 71 dated 30.5.2021, under Sections 21, 22 and 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (for short 'the Act') registered at Police Station Dhanaula, District Barnala.

As per the case set up, the police party apprehended Sukhwinder Singh and Jaswinder Singh on 30.5.2021 and recovered 330 grams of Heroin. They named Jasvir Singh, who was apprehended on 1.6.2021 and 280 grams of Heroin was recovered from him. The petitioner was named in a disclosure statement of the co-accused, he was arrested on 15.11.2021 but no recovery was made.

Learned counsel for the petitioner submits that it is a case of false implication, the petitioner was not apprehended from the spot, he was named in the disclosure statement and the petitioner is not involved in any other case under the Act.

Learned counsel for the State opposes the prayer for grant of

bail. He submits that the petitioner is involved in another FIR.

Without commenting on the merits of the case, considering that no recovery was made from the petitioner, his name surfaced in the disclosure statement, though the investigation is complete and challan stands presented the trial is likely to take time and the petitioner is not involved in any other case under the Act, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

27th April, 2022

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[AVNEESH JHINGAN]

JUDGE

1. Whether speaking/ reasoned

:

Yes / No

2. Whether reportable

:

Yes / No