

209.

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

CRM-M-3562-2022

Date of Decision: 14.02.2022

GURWANT SINGH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Harsh Raheja, Advocate,
for the petitioner.

Mr. A.S.Gill, Senior DAG, Punjab.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.158, dated 03.11.2021, registered under Sections 15, 22-C, 29 of the NDPS Act, 1985 at Police Station Khuian Sarwar, District Fazilka.

Learned counsel appearing on behalf of the petitioner would contend that the petitioner has been falsely implicated in the present case. Neither he has been named in the FIR nor apprehended at the spot with possession of any contraband. He has been nominated as an accused only on the basis of disclosure statement of one Inderjit Singh @ Rana who was apprehended with 24,000 intoxicating tablets and 18 kgs of poppy husk. It is further submitted that similarly another co-accused Dharam Singh was also nominated by Inderjit Singh @ Rana and the said co-accused had already

been allowed regular bail by the Special Court, Fazilka vide order dated 11.01.2022. Petitioner is in custody since 07.11.2021 and the trial in the case will take some time to conclude.

On the other hand, learned State counsel opposes the grant of regular bail to the petitioner referring to seriousness of the allegations, however, is not in a position to dispute the fact that the co-accused has been allowed regular bail.

I have heard learned counsel for the parties and keeping in view the fact that petitioner is in custody since 07.11.2021 and the co-accused has already been granted regular bail, the trial in the case will take some time to conclude, no useful purpose would be served by keeping the petitioner behind bars any longer.

Accordingly, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, any observation made herein shall not be construed to be an expression of opinion on merits of the case.

(JAISHREE THAKUR)
JUDGE

14.02.2022
sanjeev

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No