

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

210

DECIDED ON: 4th May, 2022

(1) CRM-M-4518 of 2021 (O&M)

Avninder Singh alias Shunty

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(2) CRM-M-10491 of 2022 (O&M)

Amrinder Singh alias Ravi

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(3) CRM-M-13192 of 2022 (O&M)

Akashdeep @ Akashdeep Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Ruhani Chadha, Advocate for petitioners.

Mr. Sandeep Kumar, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

These three petitions under Section 439 Cr.P.C. are filed seeking regular bail in case of FIR No. 147, dated 6.11.2020, under Sections 8, 18, 21, 23, 25 and 27, 27-A, 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act'), Sections 25, 29-A, 30 of Arms Act, 1959 and Sections 171, 395, 419, 420, 467, 468, 471, 473 of IPC and Section 64 of Punjab Police Act, 2007 added later on, registered at Police Station Special Task Force, District Mohali.

Brief facts are that on 5.11.2020, police officials received a secret information that Gurdeep Singh, Ex-sarpanch and other accused, import *Heroin* and other intoxicant from outside India and sell the same after refining it. Finding the information worth reliance, raids were conducted and the accused were apprehended. During investigation and interrogation of accused, total recovery of 5 kg 909 grams of *Heroin*, 400 grams of *opium*, 11 luxury cars, currency of Rs.50,24,950/-, revolvers, rifles alongwith cartridges, 91.5 grams of Gold and diaries are alleged to have been effected. Iqbal Singh was named in the secret information. He along with other co-accused were apprehended on 6.11.2020 and at his instance 110 grams of Heroin was recovered, as also an Innova Car allegedly used for sale of contraband.

Petitioner (Avninder Singh @ Shunty) was named by co-accused Gurdeep Singh Rana. He was brought on production warrant on 11.11.2020. No recovery was made from him, the role attributed is that the petitioner- Avninder Singh @ Shunty was a facilitator.

Petitioner (Akashdeep @ Akashdeep) was nominated on disclosure statement of Ravej Singh, no recovery was made. He was allegedly the facilitator and is in custody since 7.3.2021.

Petitioner-Amrinder Singh alias Ravi was named by co-accused Avninder Singh@ Shunty. He was arrested on 12.11.2020, no recovery was made from him. Role attributed to him is that he being ex-police official accompanied the co-accused Gurdeep Singh Rana posing as a PSO.

Learned counsel for the petitioner-Avninder Singh @ Shunty submits that it is a case of false implication. The petitioner was behind bars when co-accused were apprehended and role attributed to him is of the

Learned counsel for petitioner-Akashdeep @ Akashdeep Singh submits that the petitioner was in custody when co-accused were apprehended.

Learned counsel for the petitioner-Amrinder Singh alias Ravi submits that it is a case of false implication. No recovery was made and investigation is complete.

Learned counsel for petitioners relied upon the fact that co-accused were granted bail by this Court.

Reply filed by the State in CRM-M-10491 of 2022 is taken on record.

Learned State counsel opposes the prayer for bail and submits that the petitioners were named by the co-accused. He submits that petitioner-Amrinder Singh alias Ravi inspite of being an ex-police official misused his uniform to benefit the main accused.

However, learned State counsel on instructions from SI Sumit Singh is not able to distinguish the parity of the petitioners *vis-a-vis* co-accused so far as grant of bail is concerned.

Without commenting upon the merits of case, considering the allegations against the petitioners, no recovery was made from them, investigation is complete, challan stands presented, co-accused were granted bail by this Court, bail is granted to the petitioners on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petitions are allowed.

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

Photocopy of this order be placed on the files of connected
cases.

4th May, 2022
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>