

218
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4113-2022
Date of Decision: 20.04.2022

Ranjit Singh @ Sonu

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. L.M. Gulati, Advocate with
Mr. S.P. Khera, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

The present petition filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.164 dated 25.08.2021, under Sections 21, 23 of NDPS Act (Sections 23, 25, 27-A, 29-61-85 NDPS Act and Section 120-B and 34 IPC added later on), registered at Police Station Kathunangal, District Amritsar.

Learned counsel for the petitioner has submitted that the recovery was based upon disclosure statement which is not admissible in evidence *per se* and, therefore, the petitioner may be considered for the grant of regular bail. He further submitted that the petitioner is in custody from 31.08.2021 and the petitioner is not involved in any other case.

On the other hand, Mr. Randhir Singh Thind, learned Deputy Advocate General, Punjab has submitted that it is a case where a secret information was received that one person namely Ranjit Singh @ Rana who has links with the Pakistani smugglers is getting a consignment and on the said information the present petitioner namely Ranjit Singh son of Gurcharan Singh was apprehended alongwith 16 Kg. and 820 grams of heroin and thereafter on his disclosure statement another recovery of 4 Kg. of heroin was effected on 31.08.2021 and, therefore, more than 20 Kgs. of heroin was recovered from the petitioner which is a huge quantity and the consignment was also pertaining to the Pakistani smugglers. He further submitted that apart from the huge quantity of heroin, drug money of Rs. 2,50,000/- was also recovered from the petitioner and has prayed that the present prayer of the petitioner for grant of regular bail is hit by the bar contained under Section 37 of the NDPS Act since the recovered quantity is commercial in nature and has therefore, vehemently opposed the grant of regular bail to the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been specifically named in the FIR and there has been alleged recovery of more than 20 Kgs. of heroin and also there are allegations also pertaining to link of the petitioner with the Pakistani smugglers. The learned counsel for the petitioner has not been able to make out any ground for making a departure from the bar contained under Section 37 of the NDPS Act.

Consequently, finding no merit in the present petition, the same is hereby dismissed.

However, anything observed hereinabove shall not be treated as

an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

20.04.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No