

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

111+241

**CRM-M-7990-2022 (O&M)
Date of Decision: 19.04.2022**

AMRITPAL SINGH

... Petitioner

VERSUS

STATE OF HARYANA & ANOTHER

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Shailender Sharma, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

Ms. Sharmila Sharma, Senior Panel Counsel for U.O.I.

ARVIND SINGH SANGWAN, J.(Oral)

CRM-13952 of 2022

Allowed as prayed for.

Amended memo of parties is taken on record.

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Through the present petition filed under Section 439 Cr.P.C., the petitioner seeks regular bail in Criminal Complaint No.16, dated 29.03.2018, registered under Sections 8, 15, 18, 29 and 60 of the NDPS Act, 1985 at Police Station Narcotic Control Bureau, Chandigarh.

Learned counsel for the petitioner submits that as per the prosecution version, the NCB team on 28.03.2018 received a secret information that petitioner is indulged in drug trafficking and he along with his associate is coming on his truck with opium and

poppy husk. Thereafter, an information was reduced in writing and a raiding team was constituted. On 29.03.2018, the team stopped the truck by locating the mobile number of the petitioner and three persons were apprehended i.e. petitioner-Amritpal Singh, Chamkaur Singh and Balraj Singh. All the three told that they took around 04 kgs of opium from one person namely, Ali and they have also acquired 18.8 kgs of poppy husk.

Learned counsel for the petitioner further submits that petitioner is in custody since 29.03.2018 i.e. for a period of about four years and one month and the case is still at the stage of recording of the prosecution evidence and 14 PWs have been examined. The counsel submits that now an application under Section 311 Cr.P.C. has been filed for leading some additional evidence and the same is pending and the trial is delayed.

Reply by way of affidavit of Investigating Officer is filed in Court after verifying the contents of the complaint and the details of the investigation carried out, it is prayed that the prayer for regular bail may be declined.

I have heard learned counsel for the parties.

After hearing the counsel for the parties and considering the long custody of the petitioner which is more than four years and also in view of the fact that petitioner is not involved in any other case and the case is still at the stage of recording the prosecution evidence and an application under Section 311 Cr.P.C. has been filed, without commenting on the merits of the case, considering the aforesaid facts and circumstances, the present petition is allowed and

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:3:

petitioner-Amritpal Singh is ordered to be released on regular bail,
subject to his furnishing bail/surety bonds to the satisfaction of Trial
Court/Duty Magistrate, Ambala.

(ARVIND SINGH SANGWAN)
JUDGE

19.04.2022
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No