

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16097-2021 (O&M)

Date of decision: 22.03.2022

Kuldip Singh @ Bhatti

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vishal Khatri, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.118 dated 29.09.2020 under Sections 21/29/61/85 of NDPS Act, registered at Police Station Special Task Force, District STF Wing (Mohali).

Learned counsel for the petitioner submits that as per allegations in the FIR, a secret information was received that petitioner Kuldeep Singh @ Bhatti and co-accused Raja are involved in the business of selling heroin. Both of them have procured the same from one Nigerian in Delhi and are coming to Amritsar City. Thereafter, an information was sent to the police station for registration of FIR and in presence of a Gazetted Officer, notice under Section 50 of NDPS Act was given and 300 grams of heroin was recovered from him.

Learned counsel has argued that while conducting the investigation and search, certain memos were prepared, which are computerized and bear the

FIR number. It is further submitted that in the disclosure statement of co-accused Raja, it has come that in fact, he was carrying the heroin and handed over the same to the petitioner and from him, it was recovered.

Learned State counsel has submitted that FIR was registered on receiving a secret information, therefore, FIR number was informed to the Investigating Officer, who was present at the spot and that is why FIR number is mentioned in the recovery memo and other documents.

Learned counsel, on the basis of custody certificate filed in the Court today, has submitted that the petitioner is involved in one more FIR under NDPS Act i.e. FIR No.254 dated 05.12.2018 and he stands convicted in another FIR under Section 302 IPC.

In reply, learned counsel for the petitioner has submitted that the petitioner is on bail in FIR No.254 and his sentence has already been suspended in FIR under Section 302 IPC.

After hearing learned counsel for the parties and considering the fact that recovery was effected from the petitioner and he is involved in three cases, I find no ground to grant him the concession of regular bail.

At this stage, learned counsel for the petitioner seeks permission to withdraw the present petition.

Dismissed as withdrawn.

[ARVIND SINGH SANGWAN]
JUDGE

22.03.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No