

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21771-2021 (O&M)
Date of decision: 22.03.2022

Raja

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sultan Singh Gill, 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 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 co-accused Kuldeep Singh @ Bhatti and petitioner 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. It is further submitted that from co-accused

Kuldeep Singh @ Bhatti, 300 grams of heroin was recovered, however, no recovery was effected from the petitioner, therefore, he may be granted the concession of regular bail, as it is a case where nothing was recovered from the petitioner.

Learned counsel further submits that the petitioner is in custody for the last 01 year, 05 months and 19 days; he is not involved in any other case and out of total 11 prosecution witnesses, only 02 PWs have been examined so far.

Learned State counsel has filed the custody certificate in the Court today and has not disputed the factual position.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid submissions and the fact that no recovery was effected from the petitioner, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

[ARVIND SINGH SANGWAN]
JUDGE

22.03.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No