

214 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Decided on: 2nd March, 2022

1. CRM-M-24373-2021

Manpreet Kaur Reet @ Meenu

Petitioner

Versus

State of Punjab

Respondent

2. CRM-M-36154-2021

Bhajan Singh @ Bhau

Petitioner

Versus

State of Punjab

Respondent

3. CRM-M-13254-2021

Amritpal Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Monty Goyal, Advocate for the petitioners
in CRM-M-24373-2021 and CRM-M-13254-2021.

Mr. Gurbal Singh Sandhu, Advocate for the petitioner
in CRM-M-36154-2021.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

1. These petitions under Section 439 Cr.P.C. are filed seeking regular bail in FIR No. 147, dated 6th November, 2020, under Sections 8, 18, 21, 23, 25, 27-A, 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act'), Sections 25 and 30 of Arms Act, 1959, Sections 171, 395, 419, 473, 420, 471 IPC and Section 64 of Punjab Police Act, 2007, registered at Police Station Special Task Force, District Mohali.

2. Brief facts are that on 5th November, 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 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 is alleged to have been effected. Manpreet Kaur Reet @ Meenu and Amritpal Singh (petitioners in CRM-M-24373-2021 and CRM-M-13254-2021) were nominated on disclosure statement of Gurdeep Singh @ Ranu. .

3. The role attributed to Manpreet Kaur is that she confessed that she was staying in a hotel in Ludhiana, she left her car in hotel and her car was used by co-accused in trade of contraband.

4. Mr. Monty Goyal, Advocate for the petitioner-Manpreet Kaur Reet @ Meenu (in CRM-M-24373-2021) submits that petitioner is in custody since 20th November, 2020, investigation is complete, the car in question was recovered and no further recovery is to be made. Contention is that petitioner is not involved in any other case under the Act. He relies upon the order of this Court dated 8th February, 2022, whereby co-accused was granted interim anticipatory bail.

5. Mr. Gurpal Singh Sandhu, Advocate for the petitioner-Bhajan Singh @ Bhau (in CRM-M-36154-2021) submits that petitioner was nominated on the basis of disclosure statement of Rawez. It is a case of false implication and allegedly 117 grams of Heroin was recovered from the petitioner. He submits that recovery is of non-commercial quantity,

petitioner is in custody since 9th December, 2020, investigation is complete. He further submits that petitioner is not involved in any other case under the Act and similarly situated co-accused were granted interim anticipatory bail by this Court.

6. Mr. Monty Goyal, Advocate for the petitioner-Amritpal Singh (in CRM-M-13254-2021) submits that at instance of petitioner, 117 grams of heroin was recovered. He further submits that recovery is of non-commercial quantity, petitioner is in custody since 15th January, 2021, investigation is complete, petitioner was named in the FIR due to his involvement in other cases under the Act in which he is on bail.

7. Learned State counsel on instructions submits that petitioners were in contact on telephone with each other and the call details report is available with the Investigating Agency. He further submits that heavy recovery of contraband, arms and ammunitions was made from the co-accused.

8. Without commenting upon the merits of the case, considering that petitioners were nominated on the basis of disclosure statement, the nature of allegations and recovery made at their instance, co-accused were granted interim anticipatory bail and that though the challan stands presented but conclusion of the trial is likely to take time, petitioners are granted bail, subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

9. The petitions are allowed.

10. Since the main petitions are allowed, prayers in pending applications if any, rendered infructuous.

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

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

[AVNEESH JHINGAN]
JUDGE

2nd March, 2022

Parveen Sharma

1. Whether speaking/ reasoned : Yes /No
2. Whether reportable : Yes /No