

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

CRM-M-25190-2021 (O&M)

Date of decision: 01.04.2022

Baljit Singh @ Meeta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Randeep Singh Waraich (Rana), Advocate for the petitioner.
Mr. Ajay Pal Singh Gill, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

CRM-4142-2022

Application is allowed as prayed for. Annexures P-4 to P-6 are taken on record.

Main case:

Through this petition, the petitioner seeks regular bail in case bearing FIR No.05 dated 17.01.2021, registered under Sections 15 and 25 of the NDPS Act, at Police Station Sadar Raikot, District Ludhiana (Rural).

Learned counsel for the petitioner submits that the petitioner was neither named in the FIR, nor was arrested from the spot; that no recovery has been effected from the petitioner; that the alleged recovery of 4 quintals of poppy husk was effected from Jagpreet Singh @ Goldy; that the petitioner was indicted in the present case, on the basis of disclosure statement of aforesaid co-accused Jagpreet Singh @ Goldy; that co-accused Gurpreet Singh @ Bunty has already been granted regular bail by this Court, vide order dated 03.03.2022 and that the petitioner has been in custody since 09.03.2021.

In support of his case, learned counsel for the petitioner relies

upon the orders dated 17.06.2020 and 16.07.2021 passed by Coordinate Benches in CRM-M-12051-2020 titled as Mewa Singh Vs. State of Punjab and in CRM-M-12997-2020 titled as Daljit Singh Vs. State of Haryana, respectively.

Learned State counsel, while vehemently opposing the prayer for bail submits that the recovered contraband falls under the commercial quantity. However, he does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 09.03.2021. No recovery was effected from the petitioner, he was indicted in the present case on the basis of disclosure statement of co-accused Jagpreet Singh @ Goldy. The recovery has already been effected from the co-accused. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

CRM-4144-2022

In view of the relief granted to the petitioner in the main petition, the present application has become infructuous and is disposed of as such.

01.04.2022

Mangal Singh

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No