

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-23854-2022

DATE OF DECISION: JUNE 1, 2022

GURPREET SINGH @ RAMMU

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. G.S. LALI, ADVOCATE FOR THE PETITIONER.
MR. RAMANDEEP SINGH SANDHU, SR.DAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.10 dated 10.2.2022, under Section 22, 29 NDPS Act, Police Station Sadar Rampura, District Bathinda, who is in custody since his arrest on 10.2.2022.

The allegations contained in the FIR as noticed by the Judge, Special Court, Bathinda in the order dated 13.5.2022, are as under:-

“As per the prosecution version, on 10.2.2022, ASI Amritpal Singh alongwith other police officials was going in connection with patrolling and checking of suspected persons from Main Road, Bathinda-Barnala, Bus Stop village Jethuke. When the police party reached near the power grid of village Jethuke, a person was noticed sitting in a car bearing registration No.HR-12H-4268 and he was searching something in a polythene. He was apprehended. On asking, he disclosed his name as Gurpreet Singh @ Ramu. On checking the polythene, 50 strips of Clovidol-100 SR containing 10 tablets each i.e. total 500 tablets having batch No.TVD.20289 were

recovered.”

Learned counsel for the petitioner contends that a false case has been foisted upon the petitioner. He submits that allegedly 500 tablets were recovered from the petitioner which would fall under non-commercial quantity. He further submits that the petitioner is not involved in any other case and prays for bail, as investigation is nearly complete.

On the other hand, learned State counsel assisted by ASI Amritpal Singh has opposed the aforesaid prayer. However, it is not disputed by him that the recovered quantity falls under non-commercial category. He has also filed custody certificate of the petitioner by way of affidavit of Bhupinder Singh, PPS, Deputy Superintendent, Central Jail, Bathinda, which shows that the petitioner is not involved in any other case.

Considering the above background and the fact that the recovered contraband falls under the ambit of non-commercial category and that the petitioner is not involved in any other case, the further detention of the petitioner may not be necessary for any useful purpose, as the trial would take considerable time to conclude.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

June 1, 2022
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No
Whether Speaking/Reasoned : Yes/No