

217 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-32021-2021

Date of Decision: 6th April, 2022

Shinda Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. H.S. Sidhu, Advocate for the petitioner.
Mr. Amit Mehta, Sr. DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. The petitioner is seeking regular bail in FIR No.173 dated 08.11.2019, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act') registered at Police Station Sadar Malout, District Sri Muktsar Sahib.

2. As per the case set up, there was recovery of fifty five kilogram and three hundred gram of poppy husk from Panchayati Dharamshala of Village Jhorar. The petitioner was nominated on the basis of disclosure statement of Amrit Pal.

3. Learned counsel for the petitioner submits that no recovery was made from the petitioner. It is a case of false implication due to his involvement in other cases under the Act. Petitioner is in custody since 10th June, 2021. The contention is that co-accused Harbhajan Singh was granted bail by this Court.

4. Learned State counsel on instructions opposes the prayer and submits that petitioner was named by Amrit Pal in the Statement made

under Section 161 Cr.P.C.

5. Considering the facts that no recovery was made from the petitioner, he is in custody for nine months and twenty-five days, co-accused was granted bail by this court, involvement of the petitioner in other cases under the Act itself would not be a ground to deprive his personal liberty, petitioner is granted regular bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petition is allowed.

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

[AVNEESH JHINGAN]
JUDGE

6th April, 2022
Parveen Sharma

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