

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-33590-2022 (O&M)
Date of Decision:-13.9.2022

Ranjit Singh @ Raja Kandhola ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ripudaman Singh Sidhu, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.78, dated 19.7.2017, Police Station Moti Nagar, District Ludhiana, under Sections 22/27-A/29/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The FIR was lodged pursuant to receipt of secret information by the police to the effect that Palwinderjit Singh Sidhu @ Pinda @ Raja, Ravinder Singh @ Ravi and Ranjit Singh @ Raja Kandola, who is confined in Central Jail, Kapurthala, had been chatting with each other on a mobile phone and in connivance with each other, they were in touch with smugglers from Pakistan for procuring '*heroin*'. Pursuant to receipt of said information, the police was able to nab Palwinderjit Singh Sidhu @ Pinda @ Raja and Ravinder Singh @

Ravi and 5 kilograms of 'heroin' was recovered on 19.7.2017. It is further the case of prosecution that on 20.11.2017 Gurnam Singh, who was already in custody in connection with another case i.e. FIR No.158, dated 11.7.2017, Police Station Meharban, District Ludhiana, was taken out on production warrants and formally arrested in the present case, who suffered a disclosure statement categorically nominating the present petitioner as an associate.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of a disclosure statement and that since no recovery whatsoever was ever effected from him, he deserves the concession of bail particularly in view of the fact that he has already been behind bars since the last about 5 years.
4. On the other hand, learned State counsel has submitted that the name of the petitioner figures in the FIR itself inasmuch the secret informer had also disclosed his name. It has further been submitted that the petitioner has a chequered history and has been involved in as many as 13 other FIRs including FIRs lodged for offences under NDPS Act. Learned State counsel could, however, not dispute the fact that the petitioner has been behind bars since the last about 5 years and that out of the cited 19 PWs, 7 PWs have been given up and 3 PWs have been examined.
5. This Court has considered the rival submissions.
6. It is no doubt correct that the petitioner has a chequered history having been involved in a large number of cases, but having regard to the fact that the petitioner has been nominated as an accused on the basis of a disclosure statement in the present case and no recovery whatsoever was effected from him and otherwise has been behind bars for a substantial period of about 5

years and that conclusion of trial is likely to consume time as out of the cited 19 PWs, 7 PWs have been given up and 3 PWs have been examined so far, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

13.9.2022

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No