

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

(I) CRM-M-33507-2021 (O&M)

Amrik Singh @ Meeta ... Petitioner

Versus

State of Punjab ... Respondent

(II) CRM-M-37017-2021 (O&M)

Bhinder Pal Singh @ Bhinder ... Petitioner

Versus

State of Punjab ... Respondent

(III) CRM-M-6025-2022 (O&M)

Satnam Singh @ Sonu ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-23.11.2022

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Jashandeep Singh Sandhu, Advocate,  
for the petitioner in CRM-M-33507-2021.

Mr. Parminder Singh Sekhon, Advocate,  
for the petitioner in CRM-M-37017-2021.

Mr. Mohit Kumar, Advocate,  
for the petitioner in CRM-M-6025-2022.

Mr. Luvinder Sofat, DAG, Punjab with  
Ms. Swati Batra, DAG, Punjab,  
assisted by ASI Manjit Singh.

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**GURVINDER SINGH GILL, J. (Oral)**

**CRM-43290-2022 in CRM-M-6025-2022**

In view of the reasons mentioned in the application, the same is allowed and the hearing of the main petition i.e. CRM-M-6025-2022 is preponed from 10.1.2023 and is taken on board today.

**CRM-M-33507-2021 (O&M); CRM-M-37017-2021 (O&M) & CRM-M-6025-2022 (O&M) (Main Cases)**

1. This order shall dispose of the above mentioned three petitions filed on behalf of petitioners Amrik Singh @ Meeta, Bhinder Pal Singh @ Bhinder and Satnam Singh @ Sonu seeking grant of regular bail in respect of a case registered vide FIR No.116, dated 15.6.2021, Police Station Sadar Dhuri, District Sangrur, under Sections 21/29 of Narcotic Drugs and Psychotropic Substances Act and Section 25/54/59 of Arms Act.
2. Replies by way of affidavit of Shri Yogesh Kumar, PPS, Deputy Superintendent of Police, Sub Division, Dhuri, District Sangrur have been filed by learned State counsel in CRM-M-33507-2021 and in CRM-M-37017-2021, which are taken on record.
3. The case of the prosecution, in nutshell, is that on 15.6.2021, when a police party headed by ASI Jagtar Singh was present on the bridge of canal in the area of Village Jahangir for the purpose of checking of suspected persons, then at about 10:15 p.m. a car bearing registration No.DL-01-YC-5702 was seen coming, which was signaled to stop. However, driver of the said vehicle, upon noticing the police party, tried to turn back the car but the engine of the car stopped. The occupants of the car were apprehended, who

disclosed their names as Amrik Singh @ Meeta, Bhinder Pal Singh @ Bhinder and Satnam Singh @ Sonu. A transparent polythene bag was found lying near the hand-brake of the car, which was found to contain 260 grams of 'heroin' alongwith a cash amount of Rs.55,000/-.

4. Learned counsel for the petitioners submit that the petitioners have been falsely implicated in the present case and that as a matter of fact ASI Jagtar Singh, who was heading the police party, has a tainted record and himself stands involved in case FIR No.148, dated 27.6.2021, Police Station Lehra, District Sangrur, under Sections 15 and 29 of NDPS Act, wherein the allegations are to the effect that he had falsely implicated one Balwinder on the allegations of drug trafficking and had demanded an amount of Rs.5 lakhs for releasing him.
5. Learned counsel, in order to hammer forth their aforesaid submissions, have drawn the attention of this Court to an audio conversation, which is recorded in a compact disk annexed as Annexure A-1 (in CRM-M-37017-2021). The transcript of the same is annexed as Annexure A-2 alongwith its true translation. The relevant extract from the said translated transcript reads as follows:

“Transcript of Audio Recording

Time 21:46-22:44

**A- Baljinder Singh    B- ASI Jagtar Singh**

B- Tell me one more thing, you were in Himachal, cases have been registered even against those who are in jail.

A - O Bai, I know all these things.

B- Being in jail is a better proof than other cases.

A- Bai I will tell you what the thing is, I know everything, that is why I am paying you because everything is in your hands now. I know this thing also that 20 grams was recovered from **Bhinder**.

B- 25 grams

A- 25 grams was recovered, isn't it, but they have planted 260 grams.

A- That is the thing Bai, everything can be managed, why are we paying money, we are paying it because we are honest, we are not lying.

B- This is what CIA does. Whatever SSP says is correct. If he says it is 5 grams, then it is 5 grams. If he says it is 50 grams, then it is 50 grams. If he says it is 1 kg, then it is 1 kg. One order is being followed. We cannot reduce it later.”

6. Learned counsel, while referring to the aforesaid transcript, have submitted that is clearly evident that when the matter pertaining to false implication of petitioner “Bhinder” was stated to ASI Jagtar Singh, he did not deny the same at all and that, as such, it is evident that the petitioners have been falsely implicated.

7. Opposing the petition, learned State counsel has submitted that while the factum of audio conversation recorded in respect of the ASI Jagtar Singh is not disputed but the said audio conversation cannot strictly be said to be pertaining to the instant case and that, in any case, ASI Jagtar Singh has not admitted that he had falsely implicated the petitioners. Learned State counsel has further submitted that there is no motive with the police officials to have

falsely implicated the petitioners. Learned State counsel has informed that the petitioners Bhinder Pal Singh @ Bhinder and Amrik Singh @ Meeta stand involved in one case each for offences under IPC and petitioner Satnam Singh @ Sonu stands involved in two other cases including one case for offence under Narcotic Drugs and Psychotropic Substances Act. It has been informed that the petitioners have been behind bars since the last about 1 year and 5 months and that as on date 2 PWs out of the cited 14 PWs have been examined.

8. This Court has considered the rival submissions.
9. The factum of the audio conversation in respect of the other case is not disputed. In the said conversation, there is a reference to 'Bhinder' accused in the present case, as regards his false implication. When it was specifically put to ASI Jagtar Singh during said conversation that he had falsely implicated accused 'Bhinder' in the present case, ASI Jagtar Singh has not denied it at all.
10. This Court finds that the petitioners have been able to make some kind of dent in the case of the prosecution, atleast for the purpose of grant of bail. The petitioners otherwise have been behind bars for a substantial period of more than 1 year and 5 months. Conclusion of trial is likely to consume time inasmuch only 2 PWs out of the cited 14 PWs have been examined so far. In these circumstances, further detention of the petitioners will not serve any useful purpose. All the three petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail

bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

11. It is, however, made clear that none of the observations made above shall be construed to be an expression on merits of the main case.
12. A copy of this order be placed on the file of each connected case.

23.11.2022  
pankaj

( Gurvinder Singh Gill )  
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No