

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

214

CRM-M-33572-2021 (O&M)

Date of Decision: 24.05.2022

SATPAL SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. GS Sandhu, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

CRM-16598-2022

Application is allowed, as prayed for.

Annexure A-1 is taken on record, subject to all just
exception.

Registry is directed to tag the same at an appropriate place.

CRM-M-33572-2021

Through this petition, the petitioner seeks regular bail in case bearing FIR No.4 dated 05.01.2021, registered under Sections 21(c) and 29 (added later on) of the NDPS Act, at Police Station Kabarwala, District Sri Muktsar Sahib.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR, rather has been indicted on the basis of the disclosure statement of co-accused, namely, Gurbej Singh, who was driving the car and apprehended with one kilogram heroin and that similarly situated co-accused, namely, Gurpreet Singh @ Gora, has

already been granted the concession of regular bail by this Court on 14.10.2021. He further submits that the petitioner has been in custody since 16.02.2021 and that, though, another FIR No.43 dated 08.02.2021, Police Station Hindumalkot, District Ganga Nagar, under the NDPS Act, has been registered against the petitioner, yet the fact remains that no recovery was effected from the petitioner in the said case.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that post presentation of the challan, the prosecution evidence is to commence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 16.02.2021. Similarly situated co-accused has already been enlarged on bail. As per the learned counsel for the petitioner, no recovery was effected from the petitioner in the present case as well as in FIR No.43 dated 08.02.2021. Prosecution evidence is yet to commence. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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

24.05.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*