

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

CRM-M-31650-2022 (O&M)
Date of Decision:-**19.12.2022**

JAGMEET SINGH @ MEET

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Suvir Sidhu, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.40 dated 17.3.2021 registered under Section 21(c) NDPS Act at Police Station Kotbhai, District Sri Muktsar Sahib.

The counsel for the petitioner *inter alia* contends that the petitioner is falsely implicated in this case and that the FIR was registered against co-accused Krishan Singh, Ranjit Singh and Maan Singh from whom police recovered 20 grams, 20 grams and 10 grams of Heroin respectively on 17.3.2021. That thereafter one Mandeep Singh was nominated as an accused on the basis of disclosure made by aforesaid three co-accused and 260 grams

of Heroin is stated to be recovered from the house of said Mandeep Singh and he was arrested on 20.4.2021. The counsel for the petitioner further submits that petitioner Jagmeet Singh is nominated as an accused on the basis of disclosure statement made by co-accused Mandeep Singh that he used to purchase Heroin from the petitioner. The petitioner was arrested in the present case and his custody comes out to be about 6 months and no contraband was recovered from his possession and presently he is lodged in judicial custody. The counsel for the petitioner further submitted that co-accused Krishan Singh, Ranjit Singh, Maan Singh are given benefit of regular bail vide orders Annexure P-4 (collectively) by the Coordinate Bench of this Court and co-accused Mandeep Singh is also granted benefit of regular bail by the same Bench vide order dated 2.7.2021, whose copy has been produced in the Court and the same is taken on record. The counsel for the petitioner further submits that it will take considerable time for the trial to conclude so prayer is made for grant of regular bail to the petitioner.

The instant petition is opposed by the State counsel, who has not disputed the fact that the petitioner was not named in the FIR and his name was disclosed by co-accused Mandeep Singh, who has been granted regular bail. The State counsel has not disputed the fact that co-accused Krishan Singh, Ranjit Singh and Maan Singh, who were named in the FIR are also granted bail vide Annexure P-4 (colly.). The State counsel further submits that after completion of investigation, the police has presented the challan but charges are yet to be framed.

I have considered the submissions made by counsel for the parties.

The FIR in this case was registered against Krishan Singh, Ranjit Singh and Maan Singh and they named co-accused Mandeep Singh who further disclosed the name of the present petitioner. As per the custody certificate, the petitioner is in custody for the last more than 5 months and 26 days and admittedly no contraband was recovered from the possession of the petitioner and presently he is lodged in judicial custody. Co-accused Krishan Singh, Ranjit Singh, Maan Singh and Mandeep Singh are already enlarged on bail. After completion of investigation, the police has presented the challan but charges are yet to be framed and even thereafter it will take considerable time for the trial to conclude, so no purpose is going to be served by keeping the accused behind the bars for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

19.12.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No