

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43841-2021 (O&M)

Date of decision: 28.01.2022

Vijay Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Nirbhay Singh Gill, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.242 dated 08.12.2019 under Sections 22/25/29/61/85 of NDPS Act, registered at Police Station Dhanaula, District Barnala.

Learned counsel for the petitioner submits that the FIR was registered at the instance of SI Shareef Khan with the allegations that he received a secret information that co-accused Deepak Sharma is indulged in the business of bringing the narcotic tablets and to sell the same in Punjab and he is to deliver the narcotic substance to Rinku, Shankar Kumar and Raju, therefore, an information was sent to the police station in this regard. Thereafter, the police apprehended Deepak Sharma, Rinku and Sarwan Kumar and recovered 99000 intoxicant tablets and Rs.35,000/- of drug money. Gurmail Singh made a disclosure statement that Rinku told him that he is used to purchase the same

from co-accused Vijay Singh.

Learned counsel has further submitted that name of the petitioner is surfaced in the FIR on the basis of disclosure statement of co-accused Rinku. It is also submitted that the petitioner is first offender and is not involved in any other case and after his arrest, nothing was recovered. Learned counsel relies upon judgment of the Hon'ble Supreme Court in **State (NCB) of Bengaluru Vs. Pallulabid Ahmad Arimutta, 2022 LiveLaw (SC) 69.**

Learned counsel for the petitioner has also submitted that custody of the petitioner is about 09 months and 20 days; investigation is complete and conclusion of the trial will take some time.

Learned State counsel, on the basis of custody certificate dated 27.01.2022 filed in the Court today and the investigation report, has not disputed that name of the petitioner is surfaced in the FIR on the basis of disclosure statement of co-accused and he is not involved in any other case.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid submissions, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

28.01.2022

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No