

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

212

CRM-M-43240 of 2020 (O&M)

DECIDED ON: 3rd August, 2022

Raman Kumar @ Raman

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. K.B. Raheja, Advocate for petitioner.
Mr. Amit Mehta, Sr. DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

This is a petition seeking regular bail in case of FIR No. 49 dated 28.2.2020, under Sections 21, 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, (for short 'the Act') registered at Police Station Phillaur, District Jalandhar, Rural.

As per the case set up, the police party during checking on 27.2.2020 checked Kulwinder Singh @ Kindi and Raman Kumar @ Raman (petitioner) while alighting the bus near the bridge of Satluj River in the area of GT Road Phillaur. Kulwinder Singh was carrying a bag on his shoulder. From the bag 11 kilograms of *Heroin* was recovered. Petitioner was nominated on the basis of disclosure made by Kulwinder Singh that he along with petitioner were engaged in delivering consignments of *Heroin* from Ludhiana to Amritsar. They were in that business for last seven months. Four consignments were delivered from Ludhiana to Amritsar.

Learned counsel for the petitioner submits that the petitioner is in custody since 28.2.2020. No recovery was made from the petitioner or at his instance. Petitioner was nominated as he alighted the bus alongwith co-accused. He further submits that it is a case of false implication due to petitioner's earlier involvement in an FIR of small quantity under the Act in the

year 2018. The contention is that investigation is complete but the trial is not progressing. The petitioner was not even known to Kulwinder Singh-co-accused.

Learned State counsel on instructions opposes the prayer and submits that the petitioner was specifically named by the co-accused. It was disclosed that both the accused were indulging in delivering the consignment.

The observations made hereinafter are only for the purpose of deciding the bail petition and shall not be construed as an expression on the merits of the case.

There was no recovery from the petitioner or at his instance. His name has surfaced in a disclosure statement, he has suffered incarceration of two years, four months and twenty-six days, investigation is complete conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

Since the main case has been decided, the pending application, if any is rendered infructuous.

3rd August, 2022
reema

(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>