

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

1. CRM-M-39875-2020 (O&M)

Gurpreet Singh @ Gora

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-44003-2020 (O&M)

Jagmohan Singh

...Petitioner

Versus

State of Punjab

...Respondent

Date of decision: 24.01.2022

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Manpreet Singh, Advocate
for the petitioner(s).

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same FIR.

Prayer in these petitions, filed under Section 439 of the Code of
Criminal Procedure, is for grant of regular bail to petitioners Gurpreet Singh
@ Gora and Jagmohan Singh in case FIR No. 202 dated 17.09.2020,
registered under Sections 22(c) and 25 of the Narcotic Drugs &
Psychotropic Substances Act, 1985 at Police Station Canal Colony

Bathinda, District Bathinda.

Learned counsel for the petitioners submits that as per allegations in the FIR, HC Baljinder Singh along with the police party was present on patrol duty and a truck, bearing registration number PB-04V-8551, came there and on seeing the police party, the said truck stopped and in the meantime, HC Baljinder Singh called SI Madan Gopal and the occupants of the truck were apprehended. The driver of the truck disclosed his name as 'Gurpreet Singh @ Gora' and the second person disclosed his name as 'Jagmohan Singh', who are the petitioners herein. From the toll box of the truck, 3250 intoxicant tablets were recovered.

Learned counsel further submits that none of the petitioners is the owner of the said truck and it will be a matter of trial whether before effecting the recovery, proper procedure under Section 42 of the NDPS Act was followed or not.

Learned counsel further submits that both the petitioners belong to very poor families; they are the sole bread earners of their families; they are in judicial custody for the last about 01 year and 04 months and not involved in any other case.

It is further submitted that till date, even charges have not been framed and it will take a long time in conclusion of trial.

Learned State, on the basis of the custody certificates filed today, has not disputed the factual position, however, it is submitted that the said truck was in the name of one Beant Singh, who is the brother of petitioner Gurpreet Singh @ Gora, though he has not been arrayed as an accused in this case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioners are in judicial custody for the last about 01 year and 04 months; they are not involved in any other case and also in view of the fact that conclusion of trial is likely to take a long time as even charges have not been framed so far, the instant petitions are allowed. Petitioners Gurpreet Singh @ Gora and Jagmohan Singh are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate concerned.

A photocopy of this order be placed on the file of other connected case.

24.01.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No