

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50660-2022
DECIDED ON: 21.11.2022

SONA SINGH ALIAS SONU

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

SANDEEP MOUDGIL, J. (ORAL)

This is a petition seeking regular bail in FIR No.99, dated 20.05.2022, under Section 22 of the NDPS Act, 1985 (Section 29 of the NDPS Act added later on), registered at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner highlighting the fact as stated in para 5 of the petition, contends that the petitioner has been falsely implicated in the present case as he was picked up from his own house by the police officials of Police Station Sultanpur Lodhi on 19.05.2022 at about 9:00 a.m., who kept him in illegal detention, whereas the present FIR was registered on the next date, i.e., 20.05.2022. With regard to the illegal detention, a representation was submitted by father of the petitioner to the SSP, Kapurthala on that very day, which was received in the office of SSP, Kapurthala vide complaint No.1355A/PC, dated 19.05.2022 and was marked

to DSP/SD Sultanpur Lodhi. He further submits that only after lodging of the said complaint, the petitioner has been roped in, in the present FIR.

On the other hand, learned State counsel submits that the recovered intoxicant is commercial in nature and it is yet to be verified as to whether the alleged representation was received in the office of SSP, Kapurthala or not.

Be that as it may, this Court has no reason to disbelieve the factum of representation submitted by the father of the petitioner on 19.05.2022 (Annexure P-2), the copy of the vernacular thereof shows the numbering as well as the stamp verifying the receipt of complaint by the SSP, Katpurthala on 19.05.2022 (Annexure P-2). Such averments made in the present petition are suffice to make a doubt in the investigation of the State.

Without commenting on the merits of the case, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate, concerned.

The present petition is, therefore, allowed.

(SANDEEP MOUDGIL)
JUDGE

21.11.2022

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