

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

**CRM-M-4514-2023
DECIDED ON: 03.02.2023**

**RAJBIR SINGH @ RAJU @ RAJANBIR SINGH
.....PETITIONER**

VERSUS

**STATE OF PUNJAB
.....RESPONDENT**

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

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

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.1, dated 09.01.2019, under Sections 21 and 29 of NDPS Act, 1985, registered at Police Station Nakodar Sadar, District Jalandhar (Rural).

Learned counsel for the petitioner contends that the petitioner was not originally named in the FIR but was roped in as an accused on the basis of subsequent second disclosure statement of main accused Abraham Lalrmin Gheta and no recovery was effected from the possession of the petitioner in any manner.

Learned counsel for the petitioner has also asserted that the co-accused persons namely Abraham Lalrmin Gheta and Sucha Singh have been granted the concession of bail vide orders dated 11.10.2022 (Annexure P-2) and 29.11.2022 (Annexure P-3), passed in CRM-M-32515-2021 and CRM-M-36712-2022 respectively.

Notice of motion.

On the asking of Court, Mr. Mohit Kapoor, Addl. AG, Punjab, accepts notice on behalf of the respondent-State, who has filed the custody certificate of the petitioner today in Court, which is taken on record. According to the custody certificate, the petitioner is behind the bars for the last 1 year, 6 months and 10 days.

Learned State counsel further contends that the petitioner is involved in two other cases of NDPS Act, out of which in one case, he is on bail in FIR No.126 dated 01.08.2019 and in the other case, he is in custody.

Considering the fact that the petitioner was roped in the FIR merely on the basis of second disclosure statement of main accused namely Abraham Lalrmin Gheta and the fact that no recovery was effected from the possession of the petitioner and also added with the fact that the other co-accused namely Abraham Lalrmin Gheta and Sucha Singh have already been granted the concession of bail, as such, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

(SANDEEP MOUDGIL)
JUDGE

03.02.2023

Meenu/Poonam Negi

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