

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

**CRM-M-6414-2023  
DECIDED ON: 10.02.2023**

**ARSHDEEP SINGH ALIAS PATTÀ**

**.....PETITIONER**

**VERSUS**

**STATE OF PUNJAB**

**.....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.**

Present: Mr. Vikas Gupta, Advocate  
for the petitioner.

Mr. Mohit Kapoor, Addl. AG, Punjab.

**SANDEEP MOUDGIL, J (ORAL)**

This is a petition seeking regular bail in FIR No.75, dated 02.09.2022, under Sections 386, 387, 388, 389, 120-B of the IPC, 1860 and Sections 25(6), 25(7) of Arms Act, 1959 and Sections 21, 29, 61, 85 of the NDPS Act, 1985, registered at Police Station Harike, District Tarn Taran (Annexure P-1).

Learned counsel for the petitioner contends that as far as the offence under Sections 21, 29, 61 and 85 of NDPS, 1985 is concerned in the instant FIR, the petitioner has not been attributed any role. He further contends that the petitioner is only alleged with the offences for carrying arms and, accordingly, he has been implicated under Sections 25(6) and 25(7) of the Arms Act, 1985.

As per the prosecution case, no recovery has been effected from the possession of the petitioner to implicate him in the case under the NDPS

Act apart from the fact that only Rs.10,000/- has been recovered from his possession, which is stated to be money against extortion.

Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. According to the custody certificate, the petitioner is behind the bars for the last 3 months and 25 days.

Considering the aforesaid facts and circumstances that it is a matter of trial to adjudicate as to on what account the alleged money was in the possession of the petitioner and in the light of the fact that the petitioner is not involved in any other case under the NDPS Act; he is behind the bars for the last 3 months and 25 days and the trial is likely to take some time, wherein the investigation is complete and the challan stands filed, hence, the petitioner is directed to be released on regular bail on his furnishing personal and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

(SANDEEP MOUDGIL)  
JUDGE

10.02.2023

Meenu

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |