

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

**CRM-M-10849-2023
Date of Decision: March 02, 2023**

KASHMIR SINGH @ KASHMIRI

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. A.S. Brar, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. D.A.G. Punjab.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail in case FIR No.205 dated 16.09.2022 under Section 22 of NDPS Act, 1985 (Sections 29 of NDPS Act, 1985 added later on), registered at Police Station Baghapurana, District Moga.

Learned counsel for the petitioner submits that the petitioner was implicated in the present FIR, solely based on disclosure made by Gagandeep Singh-co-accused. Besides this, there is nothing on record to connect him with the alleged offence. He also submits that there is no other case of NDPS pending against the petitioner and the evidentiary value of the disclosure made by the co-accused has to be gone into at the time of trial and thus the petitioner deserves concession of pre-arrest bail.

On the other hand, learned State counsel opposes the prayer made at the instance of the petitioner.

After arguing for some time, learned counsel for petitioner submits that the petitioner shall surrender before the Court within a period of ten days from today and would move an application for grant of regular bail before the trial Court. He further submits that the trial Court may be requested to decide the same within a short span of time, considering the afore-mentioned contentions raised in the present petition.

Having heard learned counsel for parties, the present petition is disposed of with direction to the trial Court that, in case, the petitioner surrenders before the trial Court within a period of ten days from today and moves an application for grant of regular bail, the Judge, Special Court at Moga is requested to decide the same within a period of three days from the date of filing of the application.

Disposed of accordingly.

02.03.2023
tejwinder

(**HARKESH MANUJA**)
JUDGE

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