

208 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13161-2022

Date of Decision: 16.02.2023.

VIKRAM SINGH @ VICKY

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. J.S.Sandhu, Advocate, for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

The petitioner is seeking regular bail in the case bearing FIR No. 70 dated 27.11.2019 under Section 21 of the NDPS Act registered at Police Station Arifke District Ferozepur.

Custody certificate has been placed on record.

Learned counsel for the petitioner contends that the FIR has been registered in pursuance of the recovery of 1.880 kg of heroin from the possession of the co-accused, namely, Balwinder Singh. The petitioner alongwith co-accused Raj Singh have been nominated on the basis of the disclosure statement of Balwinder Singh, co-accused. Both the co-accused of the petitioner have been granted regular bail. The petitioner during the relevant period of time was confined in jail and nothing has been recovered from him.

Learned State counsel has opposed the bail application on the score that the petitioner was having close relations with Pakistani smugglers and he has supplied the contact number of Pakistan based smugglers to Balwinder Singh to procure the contraband. The charge is yet to be framed. It has been further stated that the petitioner is involved in four other cases and three are under the NDPS Act.

Be that as it may, the petitioner has been nominated on the basis of the disclosure statement of co-accused, who has since been released on bail. Nothing incriminating has been recovered from the petitioner in the instant case. The charge is yet to be framed. The conclusion of trial is likely to take some time and no fruitful purpose will be served by detaining the petitioner in further custody.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

16.02.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No