

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214/2

CRM-M-16359-2023

Date of decision : 27.07.2023

Ranjit Singh @ Kali

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Ms. Ramandeep Kaur, Advocate
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

Prayer is for grant of regular bail in FIR No.249 dated 09.10.2022, registered for offences punishable under Sections 21, 21-B, 21-C, 25, 27 and 29 of NDPS Act (Section 473 of IPC added later on), at Police Station STF Wing, Mohali, District SAS Nagar.

2. Ms. Ramandeep Kaur, Advocate appearing for the petitioner submits that the petitioner was nominated on the disclosure made by Parminder Singh @ Gaggu and in fact no recovery has been effectuated from the petitioner in the present case and moreover apart from the disclosure made by co-accused, there is nothing incriminating against the petitioner and benefit of law laid down in ***Tofan Singh vs. State of Tamil Nadu*** reported as **(2021) 4 SCC 1** has to be read in favour of the petitioner.

3. It has been further contended that the petitioner has no history of being involved in any other case under NDPS Act except one in which he stands discharged/acquitted as per custody certificate.

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4. Learned counsel for the State does not dispute the abovesaid fact.

5. Consequently, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned. However, in addition to conditions that may be imposed by the Trial Court/Duty Magistrate concerned, the petitioner shall remain bound by the following conditions :-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence oral or documentary during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence similar to the one alleged in the present case.
- (v) The petitioner shall deposit his passport, if any with the trial Court.
- (vi) The petitioner shall give his cellphone number to the police authorities and shall not change his cellphone number without permission of the trial Court.
- (vii) The petitioner shall not in any manner try to delay the trial.

6. In case of breach of any of the aforesaid conditions and those which may be imposed by the Trial Court, the prosecution shall be at liberty to move cancellation of bail of the petitioner.

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7. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

27.07.2023

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Whether speaking/reasoned : Yes

Whether Reportable : No