

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

CRM-M-25282 of 2022

Date of decision: 23rd January, 2023

Amrit Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. M. S. Saini, Advocate for the petitioner.
Mr. I. S. Mann, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

This is a second petition seeking regular bail in FIR No. 76 dated 6.5.2021, under Sections 22-C of the Narcotic Drugs & Psychotropic Substances Act, 1985 (for short, 'the Act'), registered at Police Station Koom Kalan, District Police Commissionerate, Ludhiana.

The earlier petition was withdrawn on 1.10.2021 with liberty to revive the prayer at later stage.

The brief facts are that on 6.5.2021, the police party received a secret information that Mani, Karamjit Singh @ Karma and Inderjit Singh @ Bittu were indulging in selling intoxicant and an Ambulance with registration No. HR-69-A-9250 was being used for bringing contrabands from other State. Karamjit Singh and Inderjit Singh were arrested and 1,33,500 intoxicant tablets were recovered from them. During investigation, the co-accused disclosed that the recovered contraband belonged to petitioner and Mani, they were hired to ply the Ambulance and were being paid per trip. It was further disclosed that Mani and petitioner were travelling in the car bearing registration No. PB-10FS-3027 piloting the Ambulance and giving advance information of the Nakas. The role

attributed to the petitioner is that on the day co-accused were apprehended he had 49 telephonic conversations with Karamjit Singh and the mobile tower locations were traced from Sharanpur to Samrala.

Learned counsel for the petitioner is that the petitioner is in custody since 1.8.2021, there is no recovery from or at the instance of the petitioner, his name surfaced in the disclosure statement. He further submits that the mobile used by the petitioner is not in his name.

Learned counsel for the State opposes the prayer for grant of bail. He submits that there were forty nine telephonic conversations between Manjit Singh and co-accused Karamjit Singh. The submission is that Manjit Singh in his disclosure statement stated that his phone was used by Amrit Singh (petitioner). He further submits that the petitioner is involved in two other cases under the Act.

Learned counsel for the petitioner submits that the petitioner was granted bail in other two cases and those cases were also based upon disclosure statements.

Without commenting on the merits of the case, having conspectus of the facts and considering that there was no recovery from or at the instance of the petitioner, name of the petitioner surfaced in disclosure statement, conclusion of trial is likely to take time, involvement of the petitioner in other two cases under the Act in itself would not be a ground to deprive personal liberty of the petitioner, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

23rd January, 2023
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1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No