

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

(212)

CRM-M-32272-2022

Date of Decision : July 17, 2023

Ajay Singh @ Ajay Bhidi**.. Petitioner****Versus****State of Punjab****.. Respondent****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Vinod Kumar Kaushal, Advocate, for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.167 dated 26.06.2021 registered under Section 21-C of the NDPS Act, 1985 (Sections 29, 61 and 85 of the NDPS Act added later on) at Police Station Gate Hakiman, Police Commissionerate, Amritsar.

2. Learned counsel for the petitioner argues that the petitioner has been roped in the present case on the basis of the disclosure statement of co-accused Ajay Singh and no contraband has been recovered from the petitioner and the similarly situated co-accused namely Gurpreet Singh alias Karan, who is also named by the same co-accused Ajay Singh, has already been granted the concession of regular bail by the Coordinate Bench of this Court while passing order in CRM-M-31355 of 2022 on 27.03.2023, hence,

the petitioner may kindly be also extended the same benefit as extended to co-accused Gurpreet Singh alias Karan.

3. Notice of motion.

4. Mr. Anmol Singh Sandhu, learned Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

5. Learned State counsel concedes the factum that the petitioner was roped in the present case on the basis of the disclosure statement of co-accused Ajay Singh and no recovery of contraband has been recovered from him. Learned State counsel also concedes that another co-accused namely Gurpreet Singh alias Karan has already been extended the concession of regular bail, who was also facing the same allegations as petitioner.

6. I have heard learned counsel for the parties and have gone through the record with their able assistance.

7. Keeping in view the facts and circumstances of the present case that the petitioner has been roped in the present case on the basis of the disclosure statement of co-accused Ajay Singh and no contraband has been recovered from him and similarly situated co-accused Gurpreet Singh alias Karan has already been granted the concession of regular bail by the Coordinate Bench of this Court, the petitioner has made out a case for the grant of regular bail especially when learned counsel for the petitioner has undertaken before this Court in case, the petitioner is extended the benefit of bail, he will not influence the trial or the witnesses in any manner and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

8. In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail,

subject to the satisfaction of the trial Court/Duty Magistrate concerned.

9. However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

July 17, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No