

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

1. **CRM-M-31893-2023**
Neutral Citation No.2023: PHHC:130173

Rajni Kaur

. . . . Petitioner

Vs.

State of Punjab

. . . . Respondent

2. **CRM-M-34456-2023**
Neutral Citation No.2023: PHHC:130176

Sonu

. . . . Petitioner

Vs.

State of Punjab

. . . . Respondent

DATE OF DECISION: 07.10.2023

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Parminder Singh Sekhon, Advocate, for the petitioner.

Mr. Gopal Singh Nahel, Advocate, for the petitioner.

Mr.M.S. Nagra, Advocate, AAG, Punjab.

DEEPAK GUPTA, J.

Prayer in both these petitions filed under Section 439 CrPC is for grant of regular bail to the petitioners in case FIR No.07 dated 18.01.2023 registered at Police Station Barnala, District Barnala under Sections 22, 25 and 29 of Narcotics Drugs and Psychotropic Substances Act, 1985 [for short 'the NDPS Act'].

2. As per prosecution case, the secret information was received by the Police party on 18.01.2023 against **Babbu Singh, Mandeep Singh** and **Sonu** (petitioner in CRM-34456-2023), as per which Babbu Singh

having Car No. PB-11-CL-6200 make Scorpio; and Mandeep Singh having XUV PB-13BB-8666 used to bring intoxicant tablets from outside the State and supply the same in different towns of Punjab and that on that day, both of them had brought intoxicating tablets through their partner Sonu Singh and were waiting to supply the same to some person near Sainsi Basti, Handiaya. During search, both the accused were found in their respective vehicles. Compliance of Section 50 of the NDPS Act was done. Vehicles of both these accused i.e., Babbu Singh and Mandeep Singh were searched. 80,000 tablets marka **TRAMWEL SR-100** (Tramadol Prolonged-release Tablet IP) and 10,000 loose intoxicating tablets were found from the vehicle of Babbu; whereas 60,000 tablets of **TRAMWEL SR-100** and 5000 loose intoxicating tablets were found from the vehicle of Mandeep Singh. The same were taken into possession in accordance with law.

3. During their interrogation, both of them i.e., Babbu Singh and Mandeep Singh disclosed that they used to bring the intoxicating tablets from Karnal; that **Rajni Kaur** (petitioner in CRM-M-31893-2023) used to give her share of money in advance and after selling the intoxicating tablets, all of them used to share the profit. It was further disclosed by them that tablets were to be supplied by Sonu (petitioner in CRM-34456-2023) to another person known only to Sonu. During further investigation, one **Rashid** was also found to be involved in the offence, as he was nominated to be the supplier. Sonu (petitioner in CRM-34456-2023) was arrested on 04.05.2023. Rajni Kaur (petitioner in CRM-M-31893-2023) was arrested on 05.05.2023 and Rashid was arrested on 05.07.2023.

4. It is contended on behalf of both the petitioners i.e., Rajni Kaur (petitioner in CRM-M-31893-2023) and Sonu (petitioner in CRM-34456-

2023) by their respective counsels that no recovery has been effected from them nor any other incriminating material has been found against them despite completion of investigation; that they are sought to be implicated only on the basis of disclosure statement of the co-accused, which is inadmissible; and that trial may take long time to conclude. Prayer is made for granting regular bail.

5. Ld. State counsel does not dispute the factual position that no recovery has been effected either from Rajni Kaur (petitioner in CRM-M-31893-2023) or Sonu (petitioner in CRM-34456-2023). He could not point out any other incriminating substance against the petitioners except the disclosure statement of the co-accused. The challan has already been filed, and charges are yet to be framed and thus, trial may take long time to conclude.

6. Having regard to all the above facts and circumstances, particularly the roles attributed to the petitioners, but without commenting anything further on merits of the case, both the petitioners are admitted to regular bail on their furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Allowed.

A photocopy of this order be placed on the file of connected case.

07.10.2023
Vivek

(DEEPAK GUPTA)
JUDGE

- 1. Whether speaking/reasoned?
- 2. Whether reportable?

Yes/No
Yes/No