

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

214

CRM-M-41332-2023 (O&M)

Date of decision: 25.08.2023

Gurpinder Singh Alias Robin

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr.Vipul Aggarwal, Advocate for the petitioner.

RAJBIR SEHRAWAT. J. (Oral)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.148 dated 23.05.2023 registered under Section 21(c) of the NDPS Act (Section 29 NDPS Act added later on) at Police Station Special Task Force, District STF Wing.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is concocted. The petitioner is not involved in the crime as alleged against him. Even as per the story of the Police, the name of the petitioner has surfaced in the case in the disclosure statement of co-accused. However, despite the petitioner having been arrested on 24.06.2023, they have not been able to collect any material during investigation to connect the petitioner to the alleged crime. The investigation of the case is already over. The petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

3. Notice of motion.

4. Mr. G.S. Sandhu, DAG Punjab accepts notice on behalf of respondent-State. Learned State Counsel, on instructions from ASI Jitender Handa, submits that the petitioner is one amongst the group of accused, who were

indulging in drug peddling. Commercial quantity of 270 grams of heroin was recovered from the co-accused of the petitioner, who has disclosed the name of the petitioner as supplier. However, it is not disputed by learned State counsel that except the disclosure statement of co-accused, there is no evidence against the petitioner. It is also not disputed that petitioner is not required for any further investigation purposes and that the petitioner is in custody since 24.06.2023.

5. In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

25.08.2023

S.Sharma(syr)

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*