

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

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**CRM-M-42275-2023
Date of decision : 01.09.2023**

Lovepreet Singh @ Preeti**..... Petitioner**

versus

State of Punjab**..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Karanjeet Singh Brar, Advocate
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.31 dated 01.03.2022, registered for offences punishable under Sections 21 and 29 of NDPS Act, 1985 and Sections 379, 473 and 411 of IPC 1860, at Police Station City Fazilka, District Fazilka.

2. Counsel for the petitioner submits that the petitioner was not named in the FIR, but has been nominated on the basis of disclosure made by Makkhan Singh co-accused and apart from the aforesaid disclosure, there is no evidence that incriminates the petitioner. Petitioner has clean antecedents. He is in custody since 20.04.2023. Challan already stands presented, most of the witnesses are official witnesses and thus, there cannot be any apprehension that the petitioner shall tamper with the evidence.

3. The aforesaid factual assertions on the basis of record are not controverted by the State counsel.

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4. Keeping in view the incarceration already suffered by the petitioner and the fact that he was nominated on the basis of disclosure made by co-accused, 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 cell-phone number without permission of the trial Court.
- (vii) The petitioner shall not in any manner try to delay the trial.

5. 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.

6. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

01.09.2023

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Whether speaking/reasoned : Yes

Whether Reportable : No