

CRM-M-45638-2022

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213 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-45638-2022

Date of Decision: 02.08.2023

Satwinderjit Singh @ Goga Dass

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present : Mr. Amit Puri, Advocate,  
for the petitioner.

Mr. G.S.Sandhu, DAG, Punjab,  
for the respondent.

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**RAJBIR SEHRAWAT, J. (ORAL)**

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.115 dated 22.09.2021 registered under Section 22(c), 29, 27 and 61 of the Narcotics Drugs and Psychotropic Substances Act, 1985, at Police Station Mulepur, District Fatehgarh Sahib.

Status report by way of affidavit of Sukhbir Singh, PPS, Deputy Superintendent of Police, Sub Division Fatehgarh Sahib, District Fatehgarh Sahib, filed on behalf of the respondent-State in Court today, is taken on record.

It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally concocted. Just to show the connection of the petitioner to the alleged crime, the police have fabricated the alleged recovery of 980 tablets of Tramadol from the petitioner. The petitioner is in

custody since 22.09.2021. There is no other case against the petitioner. Challan has already been presented, therefore, the petitioner is not required for any investigation purposes. Learned counsel has also relied upon a judgment rendered by Hon'ble the Supreme Court in **SLP(Crl.) No.3221 of 2023** titled as '**Hasanujjaman and others Vs. The State of West Bengal**' decided on 04.05.2023, wherein the Supreme Court has granted bail to an accused on the ground that he had undergone one year and four months of custody.

On the other hand, learned counsel for the State, on instructions from ASI Prithvi Singh, has submitted that there is a huge recovery of contraband from the petitioner. The petitioner is directly involved in a heinous crime of drugs peddling. However, it is not disputed that the petitioner is not having any other case against him and that the petitioner is in custody since 22.09.2021.

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

02.08.2023  
adhikari

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |