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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision : 11.12.2023

CRM-M-47794-2023
RAVINDER SINGHPetitioner
Versus

STATE OF PUNJAB ...Respondent

CRM-M-48896-2023
HARWANT SINGH @ LALOPetitioner
Versus

STATE OF PUNJAB ...Respondent

CRM-M-59138-2023
SANDEEP SINGHPetitioner
Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. V.K. Sandhir, Advocate for the petitioner
in CRM-M-47794-2023.

Mr. J.S. Thakur, Advocate for the petitioner
in CRM-M-48896-2023.

Ms. Isha Goyal, Advocate for the petitioner
in CRM-M-59138-2023.

Mr. Jaswinder S. Arora, DAG, Punjab with
ASI Manjit Singh.

PANKAJ JAIN, J. (ORAL)

The afore-captioned three petitions have been filed seeking
regular bail to the petitioners in case F.I.R. No.115 dated 14.07.2023
registered for the offences punishable under Sections 21/61/29/85 of

Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') (offence u/s 29 & 85 added later on) at Police Station Gharnda, District Amritsar.

2. As per the case of the prosecution it has been alleged as under :

“FIR has been registered, as the Car was signaled to be stopped by the police party but the driver of the said Car, tried to turn the same and ran away from the spot, but Car gets aside of the road and struck and three accused persons namely applicant-accused Ravinder Singh and co-accused Sandeep Singh and Harwant Singh have been apprehended at the spot. Applicant Ravinder Singh was driving the Car, Sandeep Singh was sitting on co-driver's seat and accused Harwant Singh was sitting on the rear seat. Further on the search, 200 grams of Heroin has been got recovered from the dais board of the said Car.”

3. The quantity recovered from the petitioners is 200 grams of *heroin*.

4. Counsel for the petitioner (in CRM-M-47794-2023) submits that the recovery is non-commercial. The petitioner has no other case under the NDPS Act and thus bar under Section 37 would not be attracted.

5. Counsel for the petitioner in CRM-M-59138-2023 does not dispute that Sandeep Singh has other cases under the NDPS Act and prays for withdrawal of the petition i.e. CRM-M-59138-2023.

6. Likewise counsel appearing for petitioner Harwant Singh @ Lalo also prays for withdrawal of the petition i.e. CRM-M-48896-2023.

7. Consequently, the petitions i.e. CRM-M-59138-2023 and CRM-M-48896-2023 are ordered to be dismissed as withdrawn.

8. State Counsel is not in position to dispute the factual assertions made by counsel for the petitioner which are based on record in CRM-M-47794-2023.

9. I have heard counsel for the parties and have gone through records of the case.

10. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner Ravinder Singh i.e. 4 months and 25 days, and the fact that there is no other case against him under the NDPS Act, the present petition (in CRM-M-47794-2023) is allowed. The petitioner namely **Ravinder Singh** is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

11. 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 while on bail.
- (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.

12. 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.

13. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

14. A copy of this order be kept on the files of other connected cases.

December 11, 2023		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No