

CRM-M-51429-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-51429-2023
Date of decision: 24.11.2023

JAANPAL SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Parminder Singh Sekhon, 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.55 dated 21.04.2023, registered under Sections 15 and 29 NDPS Act, 1985, at Police Station Sadar Sangrur, District Sangrur.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is concocted. The allegations against the petitioner are based on disclosure statement of co-accused Harinder Singh @ Happy that he, allegedly, purchased 70 kgs. of poppy husk from the petitioner. However, no material has been recovered from the petitioner during the investigation. The petitioner has been in custody since 23.04.2023. The investigation of the case is complete; the petitioner is not required for any further investigation purposes and no recovery is to be effected from the petitioner. Therefore, the petitioner deserves to be released on bail pending trial.

3. Notice of motion.

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4. On the asking of this Court, Mr. Jashandeep Singh, AAG, Punjab, accepts notice on behalf of the respondent-State. Learned State Counsel, on instructions, from the concerned police official, submits that the petitioner is the supplier of the material which has been recovered from the co-accused. Therefore, the petitioner does not deserve any concession of bail. However, it is not disputed that there is no material collected against the petitioner except the disclosure statement of the co-accused. It is also not disputed that the petitioner is in custody since 23.04.2023.

5. In view of 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.

24.11.2023

parveen kumar

**(RAJBIR SEHRAWAT)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No