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

**CRM-M-55503-2022
Date of Decision: 27.02.2023**

Ranjit Singh alias Sonu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Karnail Singh Ahhi, Advocate,
for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

This is the second petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.164, dated 25.08.2021, under Sections 21/23 of the NDPS Act later on added Sections 23, 25, 27-A, 29, 61 & 85 of the NDPS Act and Sections 120-B & 34 IPC, registered at Police Station Kathunangal, District Amritsar.

Learned counsel for the petitioner has submitted that the present is a second petition filed for grant of regular bail to the petitioner and his earlier bail petition was dismissed by this Court on 20.04.2022. He further submitted that the petitioner is in custody from 31.08.2021, which is almost 1½ years and therefore, the petitioner may be considered for the grant of regular bail. He also submitted that the recovery in the present case was based upon the disclosure statement of the co-accused, which is not admissible in evidence.

On the other hand, Ms. Akshita Chauhan, learned DAG, Punjab has submitted that it is a case where on the basis of a secret information received by the police that one person, namely, Ranjit Singh @ Rana, who was having links with Pakistani smugglers, was going to get consignment and on the basis of the aforesaid information, the present petitioner, namely, Ranjit Singh @ Sonu was apprehended along with 16 kgs. and 820 grams of *Heroin* and thereafter, on his disclosure statement, another recovery of 4 kgs. of *Heroin* was effected from him and therefore, the total quantity recovered from the petitioner was more than 20 kgs. of *Heroin* which is a huge quantity and the aforesaid quantity was obtained on the basis of links with the Pakistani smugglers and therefore, the prayer of the petitioner is not only hit by the bar contained under Section 37 of the NDPS Act but also the matter is serious in nature, and therefore, the learned State counsel has vehemently opposed the grant of regular bail to the petitioner.

I have heard the learned counsel for the parties.

In the present case, the petitioner has been specifically named in the FIR and there had been an alleged recovery of more than 20 kgs. of *Heroin* from him. Apart from the above, there are also allegations pertaining to links with the Pakistani smugglers. The recovery is very high and the matter is indeed serious in nature. Furthermore, no ground has been made out by the learned counsel for the petitioner for seeking a departure from the bar contained under Section 37 of the NDPS Act.

Consequently, finding no merit in the present petition, the same is hereby dismissed.

However, anything observed hereinabove shall not be treated as an

expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

27.02.2023

(JASGURPREET SINGH PURI)

JUDGE

Bhumika

1. Whether speaking/reasoned:

2. Whether reportable:

Yes/No

Yes/No