

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

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2024:PHHC:060571

CRM-M-1188-2024

Date of decision: May 2nd, 2024

Paramjit Singh alias Pamma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Brijesh Nandan, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.156 dated 02.09.2023 under Sections 21-C/25/27-A/29 of the NDPS Act and Section 25 of the Arms Act, registered at Police Station Sadar, Tarn Taran.

2. Learned counsel for the petitioner has reiterated his submissions made on the last date of hearing that he has been falsely implicated in the present case, that too after seven days of the arrest of co-accused Lovepreet Singh, Nirmal Singh and Sukhwinder Singh, from whom the alleged recovery of 600 grams of heroin along with drug money in the sum of ₹1,14,00,000/- was affected. Learned counsel has submitted that name of the petitioner allegedly surfaced in a disclosure statement suffered by Lovepreet Singh, who stated that the recovered contraband had been supplied by the petitioner. Learned counsel has submitted that when the petitioner was arrested on 07.09.2023, no recovery of either any narcotic substance or even drug money was

affected from him; he is not involved in any other criminal case much less under the NDPS Act, which further lends credence to his false implication in the instant case. Learned counsel has also asserted that the disclosure statement on the basis of which he has been arraigned as an accused has very weak evidentiary value.

3. On the last date of hearing, learned State counsel had sought time to verify the criminal antecedents of the petitioner. Learned State counsel, on instructions from ASI Gurinder Singh, has admitted that the petitioner has clean antecedents; there were two accused bearing the same name i.e. Paramjit Singh, however, the present petitioner was only nominated on the basis of a disclosure statement, whereas the other accused namely Paramjit Singh was actively involved in drug trafficking and had other criminal antecedents.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 07.09.2023. Admittedly, no recovery of any contraband or drug money was affected from him. He was nominated as an accused after seven days of alleged recovery from co-accused. The prosecution witnesses are yet to be examined. Hence, there is no likelihood of the trial concluding in the near future.

6. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

May 2nd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No