



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

252

CRM-M-12408-2024 (O&M)
Date of Decision:- 22.08.2024

PARAMJIT SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. C.S. Rana, Advocate for the petitioner.

Mr. Japjot Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

CRM-10866-2024

For the reasons stated in the application, same is allowed.

Exemption is granted.

CRM-M-12408-2024

1. The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
249	12.12.2023	15 and 25 of NDPS Act; 473 IPC; and 25 of Arms Act (29 NDPS Act added later on)	Sidhwan Bet, District Ludhiana

2. Arguments heard.

3. It is *inter alia* contended by learned counsel for the petitioner



that the petitioner is innocent and has been falsely implicated in this case and has no concern, whatsoever with the alleged transactions wherein the police had recovered the contraband from the possession of co-accused Harjinder Singh @ Rindi. He contends that the petitioner has been nominated on the alleged disclosure statement of said co-accused Harjinder Singh @ Rindi and was subsequently arrested on 16.12.2023. He submits that after the completion of investigation, challan has already been presented in Court and conclusion of trial will take sufficient long time, as such, he prays for grant of concession of bail to the petitioner.

4. *Per contra*, learned State counsel, while referring to the reply dated 17/21.05.2024 submitted by the State has admitted that the name of the petitioner had surfaced in the disclosure statement made by co-accused Harjinder Singh @ Rindi, from whom the contraband along with drug money was recovered. According to the said disclosure statement, the petitioner had been helping the co-accused Harjinder Singh @ Rindi in the sale of narcotics, hence, prayed for dismissal of the petition.

5. After considering the respective submissions and perusing the record, it transpires that the instant FIR was registered against Harjinder Singh @ Rindi by the police from whom 270 bags of poppy husk containing 20kg each was recovered along with ₹1.25 crores drug money and fake number plates. During his interrogation he nominated the petitioner as his accomplice, who was later arrested on 16.12.2023. Admittedly, no recovery of contraband was effected from the petitioner. The challan has already been presented in Court against the petitioner. The conclusion of trial will take

sufficient long time to ascertain criminal liability, if any, of the petitioner and no purpose would be served by detaining the petitioner any longer in custody.

6. Resultantly, the present petition is allowed. The petitioner is ordered to be released on regular bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. It is further made clear that in case the petitioner is found involved in any case under NDPS Act, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with law.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

22.08.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |