

CRM-M-57980-2023Neutral Citation No. 2024:PHHC:046457CRM-M-14150-2024Neutral Citation No. 2024:PHHC:046460

211+216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: April 05, 2024

1.CRM-M-57980-2023

Ranjit Singh alias Money...Petitioner

Versus

State of Punjab...Respondent

2.CRM-M-14150-2024

Bhupinder Singh alias Bittu...Petitioner

Versus

State of Punjab...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Viren Sibal, Advocate for the petitioner
in CRM-M-57980-2023.

Mr. Munish Garg, Advocate for the petitioner
in CRM-M-14150-2024

Mr. Amandeep Singh, DAG, Punjab

DEEPAK GUPTA, J.(Oral)

Status report by way of affidavit of Shri Ravinder Singh, Deputy Superintendent of Police (City), Moga, District Moga, has been filed on behalf of respondent-State in CRM-M-14150-2024, titled as “*Bhupinder Singh alias Bittu v. State of Punjab*”. Copy supplied.

2. Learned State counsel submits that said status report can also be considered for CRM-M-57980-2023, titled as “*Ranjit Singh alias Money v. State of Punjab*”, arising out of the same FIR.

CRM-M-57980-2023
CRM-M-14150-2024

Neutral Citation No. 2024:PHHC:046457
Neutral Citation No. 2024:PHHC:046460

- 2 -

3. Separate custody certificates of both the petitioners have been filed.

4. In the two petitions titled above, both filed under Section 439 Cr.P.C., both the petitioners pray for their release on regular bail in a case arising out of FIR No.170 dated 30.07.2022, under Sections 21 and 29 (Act No.61 of 1985) of the NDPS Act (for short 'the NDPS Act') {Section 25 (Act No.54 of 1959) of the Arms Act added later on}, registered at Police Station City Moga, District Moga.

5. As per the prosecution allegations, on the basis of secret information, police raided the disclosed place. Co-accused Lovejit Singh @ Love was found to be climbing stairs. He was in possession of a computer kit bag and after necessary statutory compliance, the same was searched and 500 grams of heroin and ₹10,45,800/- as drug money was recovered. Apart from this, on reaching the room, i.e. the disclosed place, the two petitioners Bhupinder Singh alias Bittu, Ranjit Singh @ Money alongwith co-accused Bikram @ Honey were there and 500 grams of heroin was recovered from them.

6. It is contended by learned counsel for the petitioners that petitioners have been falsely implicated; that co-accused Jaspreet Singh @ Jassa, from whom 290 grams of heroin alongwith ₹3 lacs was recovered, pursuant to the disclosure statement of co-accused Lovejit Singh @ Love, has already been allowed bail by this Court, vide order dated 03.11.2023 passed in CRM-M-47134 of 2022.

- 3 -

7. Learned counsel for the petitioner also submits that the trial is not proceeding as not even a single witness has been examined so far; and that the petitioners are in custody for the last 01 year and 08 months.

8. Learned State counsel has strongly opposed the bail petition by pointing out the commercial category of the contraband as recovered from the petitioners. Attention is also drawn towards the criminal antecedent of the petitioners. It is also informed by learned State counsel co-accused Jaspreet Singh @ Jassa, who has already allowed bail by this Court, was not arrested from the spot.

9. As per the custody certificates, both the petitioners are in custody for the last 01 year and 08 months. Petitioner – Bhupinder Singh alias Bittu is involved in one more case pertaining to the NDPS Act; whereas petitioner – Ranjit Singh alias Money is also involved in one case pertaining to NDPS Act and another case under the Prison Act.

10. It is conceded by learned State counsel that though charges have been framed, but out of 32 witnesses cited by the prosecution, not even a single witness has been examined so far.

11. In the aforesaid facts and circumstances, when the trial is likely to take long time to conclude, so having regard to the long incarceration of the petitioners, the rigors of Section 37 of the NPDS Act are required to be balanced with Article 21 of the Constitution of the India, of which the speedy trial is a facet.

12. As such, without commenting anything on the merits of the case, both the petitioners are admitted to bail. They are ordered to be

CRM-M-57980-2023
CRM-M-14150-2024

Neutral Citation No. 2024:PHHC:046457
Neutral Citation No. 2024:PHHC:046460

- 4 -

released on bail on their furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

Photocopy of this order be placed on the connected case file.

April 05, 2024
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No