

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-16681-2024 (O&M)
Date of Decision:-18.9.2024

Lovepreet Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepak Gupta, Advocate for the petitioner.
Mr. Siddharth Attri, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
86	21.12.2023	Sadiq, District Faridkot	21(c) and 29 of NDPS Act, 1985

GURVINDER SINGH GILL, J. (Oral)

- The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
- As per the case of prosecution, on 21.12.2023 at about 6:00 PM, when the police party was present in the area of Canal Bridge, Gangkanal, village Killi Araiyanwala Khurd, then 2 persons, namely Gursewak Singh and Pippal Singh were apprehended and from whose possession, 500 grams of ‘heroin’ was recovered. It is further the case of prosecution that upon interrogation,



they disclosed that the said '*heroin*' had been procured by them from Lovepreet Singh (petitioner).

3. Learned counsel for the petitioner submits that the petitioner is nowhere named in the FIR and that although in the FIR, it is stated that one unknown person had supplied the contraband to Gursewak Singh and Pippal Singh, but it is subsequently on the basis of a disclosure statement made by co-accused that the petitioner came to be nominated. It has been submitted that such like disclosure statement would not carry any evidentiary value particularly in the absence of any other connecting evidence. Learned counsel for the petitioner submits that the petitioner, as on date, has been behind bars since the last about 10 months and that since conclusion of trial is likely to consume time, the petitioner deserves to be released on bail.
4. Opposing the petition, learned State counsel submitted that the petitioner was apprehended by the police while he was trying to flee from the country and since he has specifically been named by the co-accused, his complicity is clearly evident. It has been informed that as on date only 13 PWs out of cited 29 PWs have been examined. Learned State counsel has also informed that the petitioner otherwise is not involved in any other case.
5. This Court has considered rival submissions addressed before this Court.
6. The petitioner admittedly has been nominated on the basis of a disclosure statement of co-accused. The admissibility of such disclosure statement would be debatable. The petitioner has been behind bars for a substantial period of 10 months and otherwise enjoys a clean record. Under these



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circumstances, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume time.

7. The instant petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

18.9.2024
Geeta

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No