

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

**CRM-M No. 21151 of 2024 (O&M)
Date of Decision: 03.05.2024**

Manak Singh
..... Petitioner

Versus

State of Punjab
..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rajveer Singh Brar, Advocate for
Mr. Mohan Sharma, Advocate, for the petitioner.

Mr. Siddharath Sandhu, Assistant Advocate General, Punjab

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No.19, dated 27.01.2024, under Sections 21, 25, 29 & 61 of NDPS Act, 1985 (Section 27-A of NDPS added later on) registered at Police Station Gharinda, District Amritsar Rural, whereby he was implicated on the basis of disclosure statement made by one of the co-accused-Jodhbir Singh.

[2] Learned counsel for the petitioner submits that the petitioner is in custody since 01.02.2024 and has been falsely implicated in the present case; thus, prayer is for grant of regular bail to the petitioner.

[3] On the other hand, learned State Counsel vehemently opposes the prayer made on behalf of the petitioner, while submitting that the petitioner was directly involved in the FIR in question as a motor-cycle, besides a sum of Rs. 1 lakh as drug money was recovered from him.

[4] I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made by learned counsel

for the petitioner.

[5] In the present case, initially two persons, namely, Jarman Singh and Akashdeep Singh were arrested, who on 28.01.2024, disclosed the name of co-accused persons Jodhbir Singh and Lovepreet Singh. On 30.01.2024, co-accused persons Jodhbir Singh and Lovepreet Singh, named five other persons; however, at a later stage on 01.02.2024, the said Jodhbir Singh got recorded his supplementary statement, wherein he implicated the present petitioner-Manak Singh as well; thus, the petitioner is involved on the basis of third disclosure statement. The petitioner is behind the bars since 01.02.2024, i.e. for the past about three months and he is not involved in any other case. Also, no recovery of contraband has been effected from the petitioner. Considering the aforesaid facts, this Court does not find justification to extend the incarceration of the petitioner any further.

[6] In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaq Magistrate/Duty Magistrate concerned.

[7] It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

May 03, 2024
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(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>