



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

CRM-M-33356-2024 (O&M)
Date of Decision:- 30.09.2024

Gurpreet Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mikhail Kad, Advocate, for the petitioner.
Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
29	11.04.2024	Dhuri District Sangrur	21/29 (Act No.61) of NDPS Act

GURVINDER SINGH GILL, J. (Oral)

- The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
- As per the case of prosecution, on 11.04.2024 a secret information was received by the police to the effect that Vishal Kumar, Gurpreet Singh @ Gopi son of Bittu Singh, Ranbir Singh @ Nannu and Aashu indulged in sale of narcotics/Heroin and that even on the given day



they are proceeding in a white coloured Swift car bearing registration No.DL-5C-1512 and were possessing huge quantity of drugs. Pursuant to receipt of said information the police was able to intercept the vehicle in question and the aforesaid four persons who were sitting in the car were apprehended and 280 grams of 'Heroin' was recovered from them. It is further the case of prosecution that during the course of interrogation they disclosed that the said contraband was to be sold to the petitioner.

3. Learned counsel for the petitioner submits that he is nowhere named in the FIR and nor any contraband was ever recovered from him and has falsely been nominated on the basis of disclosure statement of co-accused the admissibility and veracity of which would be debatable.
4. Opposing the petition, learned State counsel submitted that since it is a case of recovery of commercial quantity of Heroin from the co-accused who has named the petitioner. Learned State counsel has however, informed that the petitioner has been behind bars since the last about 5 months and 13 days and stands involved in one more case registered under NDPS Act. It has also been informed that as on date 5 out of cited 13 PWs have been examined.
5. This Court has considered rival submissions addressed before this Court.
6. Admittedly, the petitioner was not found in possession of any contraband. It is the co-accused who were found in possession of



contraband who subsequently made a disclosure statement to the effect that the same had to be sold to the petitioner. The veracity of such like disclosure statement would certainly be debatable. Conclusion of trial is likely to consume time as only 5 out of cited 13 PWs have been examined till date. Under these circumstances, further detention of the petitioner would not serve any useful purpose. The 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.

30.09.2024
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(GURVINDER SINGH GILL)
JUDGE

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