



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

CRM-M-39402-2024 (O&M)
Date of Decision:-2.12.2024

Bagich Singh @ Mandeep Singh ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Piyush Sharma, Advocate for the petitioner.
(through video conferencing)
Mr. Siddharth Attri, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
0061	11.4.2024	Special Task Force, District STF Wing	21 of NDPS Act, 1985

GURVINDER SINGH GILL, J. (Oral)

- The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
- The FIR was registered on the basis of secret information received by the police to the effect that Malkeet Singh @ Mintu indulges in sale of intoxicant namely ‘ICE drug’ (Amphetamine) and that even on the given day, he was proceeding towards toll plaza Mahmu Joya to sell the drugs. Pursuant to receipt of said information, the police was able to nab the aforesaid Malkeet Singh @ Mintu and from whose possession 165 grams of ‘ICE drug’ (Amphetamine) was recovered. It is further the case of prosecution that during the course of interrogation, he nominated one Bagicha Singh as his



associate. When the said Bagicha Singh came to be arrested, he nominated Ranjit Singh to be also involved with him.

3. Learned counsel for the petitioner submits that the petitioner is nowhere named in the FIR and that no recovery whatsoever was ever effected from him and he came to be nominated on the basis of a disclosure statement made by co-accused Malkeet Singh @ Mintu. It has been submitted that no sanctity can be attached to such like disclosure statement and that as such the petitioner deserves the concession of bail. Learned counsel for the petitioner submitted that identically situated co-accused Ranjit Singh has already been granted regular bail by this Court vide order dated 17.9.2024 passed in CRM-M-45197-2024 (Annexure A-1).
4. Opposing the petition, learned State counsel submitted that since the name of the petitioner figures in the disclosure statement made by co-accused, his complicity is clearly evident. Learned State counsel has informed that the petitioner has been behind bars since the last about 7 months and 10 days and that challan is yet to be presented.
5. This Court has considered rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case, but having regard to fact that the petitioner has been nominated on the basis of a disclosure statement made by co-accused, the admissibility and veracity of which would be debatable and also that no recovery whatsoever was ever effected from the petitioner and that even challan has not been presented till date and identically situated co-accused Ranjit Singh has already been granted regular bail by this Court vide order dated 17.9.2024 passed in CRM-



CRM-M-39402-2024 (O&M) (3)

M-45197-2024 (Annexure A-1), further detention of the petitioner would not be justified.

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.

2.12.2024
Pankaj

(Gurvinder Singh Gill)
Judge

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