



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-40254-2024
Date of decision : 09.09.2024

Amritpal Singh @ Peter Petitioner

versus

State of Punjab Respondent

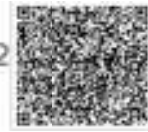
CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Rahi Mehra, Advocate
for the petitioner.

Mr. Solomon Partap Singh, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case bearing FIR No.146 dated 01.07.2022, registered for the offences punishable under Sections 25(6), 25(7) of Arms Act, 1959 and Sections 21, 22 and 29 of NDPS Act, 1985 at Police Station City Tarn Taran.
2. As per the case of the prosecution, a secret information was received to the fact that the petitioner alongwith other accused are dealing with illegal fire arms and in drug trafficking. Accordingly, area was barricaded. Co-accused of the petitioners were apprehended, who further nominated the present petitioner in their statement while in police custody.
3. Counsel for the petitioner relies upon order dated 09.05.2024 passed in CRM-M-22065-2024 whereby co-accused Harjit Singh who was apprehended from the spot stands admitted to bail.



4. Custody certified has been produced. As per the same, the petitioner has undergone more than 06 months and 29 days.

5. State counsel is not in a position to dispute the fact that the petitioner was nominated on the basis of disclosure made by co-accused while in police custody.

6. Keeping in view the dictum of law laid down by Supreme Court in the case of ***Tofan Singh vs. State of Tamil Nadu*** reported as ***(2021) 4 SCC 1***, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned. However, in addition to conditions that may be imposed by the Trial Court/Duty Magistrate concerned, the petitioner shall remain bound by the following conditions :-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence oral or documentary during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any with the trial Court.
- (vi) The petitioner shall give his cellphone number to the police authorities and shall not change his cell-phone number without permission of the trial Court.
- (vii) The petitioner shall not in any manner try to delay the trial.



7. In case of breach of any of the aforesaid conditions and those which may be imposed by the Trial Court, the prosecution shall be at liberty to move cancellation of bail of the petitioner.

8. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

09.09.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No