



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

CRM-M-42916-2024 (O&M)
Date of Decision:-6.9.2024

Karan Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Karandeep Singh Sidhu, Advocate,
for the petitioner.

Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
55	17.4.2023	Guruharsahai, District Ferozepur, Punjab	22 of NDPS Act wherein offence under Section 29 of NDPS Act was added later on

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. As per the case of prosecution, a secret information was received against Harjeet Singh @ Jeeta to the effect that he indulged in sale of intoxicant tablets and that even on the given day, he was coming from Village Aria Wala to sell drugs. Pursuant to receipt of said information, barricades were laid and the police was able to apprehend the aforesaid Harjeet Singh @ Jeeta, who



was found to be in possession of 2500 intoxicating tablets of '*tramadol*'. It is further the case of prosecution that during the course of interrogation, he disclosed that he had procured the said tablets from Karan Singh and Lovepreet Singh @ Lovely.

3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of disclosure statement of co-accused, the admissibility and veracity of which would be debatable. It is further submitted that the petitioner has been behind bars since the last about 11 months and since as on date only 1 PW out of cited 9 PWs has been examined, his further detention will not serve any useful purpose.
4. Opposing the petition, learned State counsel submitted that since it is a case of recovery of 'commercial' quantity of contraband the fetters imposed by Section 37 of NDPS Act will come into play. Learned State counsel has not denied that despite the petitioner having been behind bars since the last about 11 months, only 1 PW out of the cited 9 PWs has been examined. It has also been informed that the petitioner happens to be involved in one more case under NDPS Act.
5. This Court has considered rival submissions addressed before this Court.
6. It is not in dispute that the petitioner was not arrested at the spot nor any recovery was effected from him and he came to be nominated on the basis of a disclosure statement made by co-accused. The admissibility and veracity of such like disclosure statement would be debatable. The petitioner, in any case, has been behind bars for a substantial period of about 11 months. Conclusion of trial is likely to consume time inasmuch as only 1 PW out of cited 9 PWs



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has been examined so far. Under these circumstances, 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.

6.9.2024
Geeta/P

(Gurvinder Singh Gill)
Judge

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