



211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44301-2024
Date of Decision: 12.09.2024

RANJODH SINGH @ JODHA
....Petitioner

VERSUS

STATE OF PUNJAB
....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 483 of BNSS is for grant of regular bail to the petitioner in case FIR No.237 dated 20.11.2023 registered for the offences punishable under Sections 21(c), 29 of NDPS Act and Sections 411 and 473 of IPC at Police Station Ranjit Avenue, Amritsar.

2. The allegations in nutshell are that police arrested co-accused Major Singh and Kalu Singh on 20.11.2023 who were riding on a motorcycle and at that time 400 grams of heroin was recovered from possession of said Major Singh. However, nothing was recovered from co-accused Kalu Singh. There are also allegations that one another motorcyclist managed to escape and later on Major Singh and Kalu Singh disclosed that the said motorcyclist was Karan Singh and consequently, Karan Singh was arrested but no contraband was recovered



at his instance. There are also allegations that co-accused Major Singh suffered disclosure statement wherein the name of the present petitioner surfaced and consequently, petitioner was arrested on 06.03.2024 and is presently lodged in judicial custody.

3. Counsel for the petitioner submits that petitioner is falsely implicated on the basis of alleged disclosure statement made by co-accused which is inadmissible in evidence. It is further submitted that no contraband was recovered at the instance of the present petitioner who is in custody for the last more than 06 months and is having no criminal history. Counsel for the petitioner further submits that it will take time for the trial to conclude. So, prayer is made that petitioner be released on regular bail during the pendency of the trial.

4. Present petition is resisted by the State Counsel, who submits that commercial quantity of heroin was recovered from possession of co-accused Major Singh and the petitioner is nominated as accused only on the basis of disclosure statement suffered by said Major Singh. However, the State counsel on instructions from ASI Gurdial Singh submits that petitioner is in custody for the last more than 06 months and no contraband or any other incriminating article was recovered from the possession of the petitioner who is not involved in any other criminal case.

5. I have considered the submissions made by the counsel for the parties.

6. Admittedly, the petitioner was not named in the FIR which



version, 400 grams of heroin was recovered from Major Singh. The petitioner is stated to be nominated as accused on the basis of disclosure statement of Major Singh. The veracity and relevance of the said disclosure statement will be tested during trial. Further no contraband was recovered at the instance of the present petitioner who is having no criminal antecedents and is behind the bars for the last more than 06 months. Admittedly, it will take time for the trial to terminate. In the given circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

12.09.2024
Priyanka Thakur

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No