



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

213

CRM-M-45939-2024
Date of decision: 04.10.2024

GURPREET ALIAS GURI ALIAS GURPREET SINGH

....Petitioner

V/s

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr.Ram Kumar Saini, Advocate with
Mr.Kunal Garg, Advocate for the petitioner.

Mr.Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail in case FIR No.0052 dated 31.01.2024 under Section 22 (C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of the NDPS Act added later on) registered at Police Station Kaithal City, District Kaithal.
2. On a pointed query put to the learned counsel as to what is the material change in circumstances after the withdrawal of the previous petition wherein similar relief had been sought by the learned counsel, on 24th July, 2024, it has been submitted that co-accused Pavitar Singh on whose disclosure statement the petitioner's name was nominated as an accused in the present case had since been extended the concession of bail.



Learned counsel has further submitted that as per the case of the prosecution, a secret information was received qua the involvement of one Rishi Pal Singh @ Ajay in drug trafficking from whom a recovery of 60 tablets of Buprenorphine/Naloxone weighing 6.6 grams, 60 tablets of Tramadol weighing 22.8 gm. and 130 tablets of Alprazolam weighing 15.6 gm. was effected. During his interrogation, co-accused Rishi Pal Singh @ Ajay nominated co-accused Pavitar Singh as an accused. It was during the interrogation of co-accused Pavitar Singh that the name of the petitioner surfaced leading to his arrest on 5th February, 2024. Learned counsel submits that it is a matter of record that on being arrested, no recovery of any contraband was effected from him which clearly pointed to his false implication in the present case. Learned counsel has further submitted that since investigation is complete and challan stands presented, his further incarceration in the present case would serve no useful purpose as charges are yet to be framed coupled with the fact that as many as 15 witnesses have been cited by the prosecution.

3. Per contra, learned State counsel while opposing the prayer and submission made by the counsel opposite, on instructions, has not disputed that the petitioner's name surfaced in the second disclosure statement made by co-accused Pavitar Singh. It has also not been disputed, on instructions, that no recovery of any contraband was effected from the petitioner on being arrested on 05.02.2024. However, learned State counsel submits that recovery of Rs.1000/- (Drug Money) was effected



from the petitioner. Learned counsel has also submitted that the petitioner is involved in one other case under the NDPS Act, however, the petitioner is on bail in the said case.

4. I have heard learned counsel for the parties and perused the relevant material placed on record.
5. The petitioner has been in custody since 05.02.2024 and there is no likelihood of the trial concluding in the near future as charges are likely to be framed only on the next date of hearing.

In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.
7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

October 04, 2024
poonam

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