

227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.58669 of 2023
Date of decision : 11.03.2024

Supreet Singh @ Shanti

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Vikramjeet Singh, Advocate for the petitioner.

Mr. J.S. Arora, DAG Punjab.

PANKAJ JAIN, J. (ORAL)

1 This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case F.I.R. No.08 dated 10.01.2023 registered under Section 15 NDPS Act, 1985 registered at Police Station Sadar Samana, District Patiala.

2 As per the contents of the FIR, it has been alleged as under:-

“At this time it is entered that a written ruqa from ASI Navdeep Singh 1082/PTL received by CIA Samana for registration of case against Supreet Singh alias Shanty son of Bikramjit Singh resident of Dilawarpur P.S. Pasiana District Patiala under Section 15/61/85 NDPS Act by hand PHG Sahib Singh 30217 received in the police station the contents of which is as under:- "SHO P.S. Sadar Samana, Fateh, today myself ASI alongwith ASI Raghvir Singh 1245/PTL, PGH Sahib Singh 30217 in the official vehicle No.PB-11BY-6909 which was driven by ASI Surjit Singh 155/PTL alongwith laptop and printer in search of suspicion bad aliments were going towards Circle Samana Patra regarding conducting mobile barricading and patrolling, then at time about 12:30PM, myself ASI alongwith police party reached at main road Bus stand village Shahpur barricading, then and conducted during barricading the police party was checking the passerby vehicles then from Patran side a white colour car swift Dezire No. HR-30K-7410 seen coming, on which myself ASI signaled to stop the car

then the driver of the car suddenly stop the car and tried to turn the car on the kacha path, due to loaded the engine of the car was off, then the driver of the car come out of the car and tried to run, who has been apprehended by myself ASI with help of police party and asked his name and address, who disclosed his name as Supreet @Shanty son of Bikramjit Singh resident of village Dilawarpur P.S. Pasiana District Patiala. On which myself ASI asked him about leaving the car and cause of run, who stated that huge quantity of poppy husk has been loaded in my car, due to which after seen the police party I got scared and tried to run after left the car, then you apprehended me. In this way Supreet Singh alias Shanty son Bikramjit Singh resident of village Dilawarpur of P.S. Pasiana, District Patiala has committed an offence under Section 15/51/85 NDPS Act by keeping huge quantity of poppy husk in his car no.HR-30K-7410 Swift white Dezire colour, therefore, after written ruga the same is being sent to the police station for registration of case against Supreet Singh alias Shanty son of Bikramjit Singh resident of village Dilawarpur P.S. Pasiana District Patiala by hand through PHG Sahib Singh 30217. After register the case, case number be inform and control room Patiala be inform and to complied with the instruction of Hon'ble Supreme Court some competent officer be send to effect the recovery. The Incharge C.I.A. Samana is being informed separately. In the area of Bus Stand village Shahpur time 02:00PM Sd/- Navdeep Singh ASI C.I.A. Samana dated 10.01.2023.”

3 The petitioner was booked after having to be found in conscious possession of 65 Kgs of Poppy husk. The petitioner is in custody since 1 year 1 month and 29 days and has clean antecedents and is not involved in any other case under NDPS Act prior thereto. Challan was presented on 06.07.2023 but the charges have not been framed till date.

4 Keeping in view the incarceration suffered by the petitioner, his clean antecedents and the fact that trial is not likely to conclude in the near future, the present petition is allowed. The petitioner is ordered to be released on 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.*

5 Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

11.03.2024
spn

Whether speaking/reasoned	Yes
Whether Reportable :	No