

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

CRM-M-56450-2024 (O&M)
Date of Decision:-19.11.2024

Sandeep Singh @ Simar @ Kukri... Petitioner

Versus

State of Punjab... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. B.S. Bhalla, Advocate for the petitioner.
Mr. Siddharth Attri, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
100	22.5.2024	Islamabad, District Police Commissionerate Amritsar	21-C, 25, 27(a) of NDPS Act, wherein offences under Section 29 of NDPS Act and Section 25 of Arms Act, 1959 were added later on

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The case of prosecution is that on 22.5.2024, one Rajinder Singh @ Raja was apprehended by the police on the basis of a secret information and from whom 500 grams of ‘heroin’ was recovered apart from an amount of Rs.40,000/-. It is further the case of prosecution that during the course of interrogation, he disclosed the name of one Abhishek @ Abhi to be his associate. Upon arrest of Abhishek, he disclosed that he had been purchasing



'heroin' from one Ranjit Singh @ Kaka and that subsequently one Simar Singh @ Kukri (petitioner) had also joined them in drug peddling. When the police went out to search for Ranjit Singh @ Kaka pursuant to disclosure statement of Abhishek and conducted a raid at the house of Ranjit Singh @ Kaka, one Vishal Singh @ Shallu was also found present there and 14 live cartridges were recovered from his personal search.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case solely on the basis of disclosure statement of co-accused, which would not carry any evidentiary value in the absence of any other connecting evidence. It has been submitted that he has been falsely implicated in the present case and that there is no credible evidence against him to show that he was into drug trafficking in any manner. Learned counsel submitted that co-accused Vishal Singh @ Shallu, who was found present at the house of Ranjit Singh @ Kaka and 14 live cartridges were recovered from his personal search, has already been granted bail by this Court vide order dated 18.9.2024 passed in CRM-M-45633-2024 (Annexure P-2).
4. Opposing the petition, learned State counsel submitted that since the petitioner has been specifically named by co-accused Abhishek, his complicity is clearly evident. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 2 months and 9 days and is otherwise not involved in any other case.
5. This Court has considered the rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner has been nominated on the basis of a disclosure statement made by co-accused, the admissibility and veracity of which would be debatable, and while also noticing that the petitioner has



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been behind bars since the last about 2 months and 9 days and otherwise has a clean record, this Court is of the opinion that it is a fit case where the petitioner could be extended the benefit of bail.

7. The instant petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

19.11.2024

Pankaj

(Gurvinder Singh Gill)
Judge

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