

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-63205-2023
Date of Decision:25.01.2024

Gurpreet Singh @ Sajan ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Kulwinder Singh Dhillon, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 61 dated 12.06.2023, registered under Section 21B, 27A,61 of NDPS Act and under Section 25/54 of Arms Act, Police Station Sadar Gurdaspur, District Gurdaspur, Punjab.
2. Learned counsel for the petitioner contends that in the present case, 15 grams of heroin was recovered from Daljit Singh, Rahul, Nikhil and petitioner and Rs.99,400/- were also recovered from the dash board of the car. Learned counsel further contends that later on, a recovery of Rs.3.79 lacs were planted on the petitioner. He further contends that similarly placed co-accused Daljit Singh, Rahul and Nikhil have already been granted the concession of bail by this Court.
4. On the other hand, learned State counsel has vehemently opposed

the prayer made by learned counsel for the petitioner on the ground that there are serious and specific allegations against the petitioner. Learned State counsel further submits that three more cases have been registered against the present petitioner, however, he admits that no case under the provisions of NDPS Act has been registered against the present petitioner.

5. I have heard the learned counsel for the parties and perused the case.

6. It is not in dispute that the petitioner is in custody since last 07 months and the alleged recovery of 15 grams of heroin from the present petitioner falls within the ambit of “small quantity”.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

(N.S.SHEKHAWAT)
JUDGE

25.01.2024
hitesh

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