

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

CRM-M-57962-2024 (O&M)
Date of Decision:-18.12.2024

Lalli Singh... Petitioner

Versus

State of Punjab... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Laghuinder Singh Sekhon, Advocate for the petitioner.
Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
321	28.6.2024	City Barnala, District Barnala	22, 25, 29 of NDPS Act

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The allegations, in nutshell, are that one Kapoor Singh was apprehended by the police, who was found in possession of 11500 tablets of ‘*tramadol*’. It is further the case of prosecution that on 29.6.2021 during the course of interrogation of Kapoor Singh, he disclosed that Amritpal Singh @ Bittu, Amrit Singh @ Gautam and Gurmukh Singh @ Gori were also associated with him. Said Kapoor Singh stated that the aforesaid persons used to purchase contraband from him (Kapoor Singh) so as to sell the same further to customers. It is further the case of prosecution that on 30.6.2021 upon



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arrest of Gurmukh Singh @ Gori, another 1025 intoxicating tablets were recovered from him and further during interrogation he nominated Sham Lal as an accused. Said Sham Lal was arrested on 1.7.2021 and he further disclosed that he had purchased the contraband from Gurmukh Singh. It is further alleged that Sham Lal also got effected the recovery of 1478 intoxicant tablets. Said Sham Lal is further stated to have suffered a disclosure statement on 4.7.2021 naming the petitioner Lalli Singh as an accused.

3. Learned counsel for the petitioner submitted that the petitioner is nowhere named in the FIR and came to be nominated as an accused pursuant to a string of disclosure statements allegedly recorded by the police of various other accused, who themselves came to be nominated on the basis of some disclosure statement. It has further been submitted that several other identically situated co-accused, who also came to be nominated on the basis of disclosure statement, have already been granted bail including Amritpal Singh @ Bittu, Amrit Singh @ Gautam, Gurmukh Singh @ Gori and Sham Lal. It has been submitted that the petitioner as on date has been behind bars since the last about 3 months and 19 days and, as such, in the absence of any other connecting evidence, he deserves the concession of bail.
4. Opposing the petition, learned State counsel submitted that having regard to the antecedents of the petitioner, who is involved in 6 other cases lodged under NDPS Act, he does not deserve the concession of bail.
5. This Court has considered the rival submissions addressed before this Court.



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6. Admittedly the petitioner was never arrested at the spot and has been nominated on the basis of disclosure statement. The admissibility and veracity of such like disclosure statement would be debatable particularly when there is no other connecting evidence at this stage to indicate involvement of the petition. Several other identically situated co-accused have already been granted bail by this Court. Conclusion of trial is likely to consume time inasmuch not even a single PW has been examined till date. Under these circumstances, further detention of the petitioner will not serve any useful purpose.
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.

18.12.2024
Pankaj

(Gurvinder Singh Gill)
Judge

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