



**230 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-61295-2024

Date of decision : 11.12.2024

Ramandeep Singh @ Raman

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Jashandeep Singh Sandhu, Advocate for the petitioner.

Mr. J.S. Arora, D.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. This is the second petition filed by the petitioner praying for the grant of regular bail to the petitioner in case FIR No.02, dated 06.01.2023, under Sections 21, 22 of NDPS Act, 1985 (Section 29 of NDPS Act added lateron), registered at Police Station Tappa Mandi, District Barnala, Punjab.

2. As per facts of the case, the police party on 06.01.2023 received a secret information to the effect that Parwinder Singh @ Pappi is involved in selling the intoxicant powder/intoxicant tablets at low price and if raid is conducted, he can be arrested along with the contraband. On finding the information reliable, the FIR was registered and raid was conducted and on the basis of the information, Parwinder Singh @ Pappi was arrested and 200 intoxicant tablets were recovered from him. He failed to produce any license regarding possession of the same and thus, was arrested on spot. FIR was registered and the investigation commenced. During the investigation, Parwinder Singh @ Pappi disclosed about the co-accused namely, Manpreet Singh @ Deena and Jagsir Singh @ Seera @ Tari and from them 995 loose intoxicant tablets were recovered. On their disclosure, Surjit Singh @ Mota and Ramandeep



Singh (present petitioner) were also arrayed as an accused on 16.04.2023. As per the disclosure, the petitioner was one of the suppliers of the recovered contraband from the co-accused. The petitioner was arrested in the present case on 08.09.2023. He approached the Court of learned Judge, Special Court, Barnala praying for the grant of bail. However on hearing both the sides, the learned Judge, Special Court Barnala has declined the same vide order dated 23.11.2023. Aggrieved by the same, petitioner has approached this Court by way of filing of CRM-M-17340-2024 which was dismissed as withdrawn vide order dated 17.07.2024. Hence, the petitioner is before this Court praying for grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner is neither named in the FIR nor any recovery is made from him. He submits that the petitioner is named in the FIR on the basis of the disclosure statement of the co-accused from whom the recovery was made. He submits that the petitioner was arrested on 08.09.2023, however, the petitioner was already behind bars in another FIR registered for the offence under the Excise Act. He submits that from the facts and circumstances of the case, it is apparent that the petitioner has been falsely implicated in this case. He submits that even otherwise, the investigation is complete and charges are framed and the petitioner is entitled to be released on regular bail.

4. Learned counsel for the State, on the other hand, opposed the submissions made by learned counsel for the petitioner. He has submitted that the complicity of the petitioner was established during the investigation wherein he was found to be the supplier of the contraband

is involved in other cases as well. He has placed on record the custody certificate of the petitioner. He submits that out of total 16 prosecution witnesses, 06 have given up and 03 witnesses have been examined. He thus, submits that 07 witnesses remain to be examined.

5. After hearing counsel for the parties and perusing the record, it is deciphered from the facts and circumstances of the case that the petitioner has been named in the FIR on the basis of the disclosure statement of the co-accused. As submitted before this Court, the petitioner was arrested in this case on 08.09.2023, however, he was behind bars in another FIR under the Excise Act. Though the petitioner is involved in other cases as well but he is on bail in majority of the cases. In the present case, investigation is completed and challan is presented and out of 16 prosecution witnesses, 07 witnesses remained to be examined.

6. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

11.12.2024

(RAJESH BHARDWAJ)
JUDGE

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