

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Crl. Misc. No. M-41934 of 2014 (O&M)
Date of decision : 05.02.2015**

Udik Chand

....Petitioner

versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Dhriti Sharma, Advocate for the petitioner.
Ms. Anmol Grewal, AAG, Punjab.

RITU BAHRI , J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, who has been booked for having committed the offence punishable under Sections 22/61/85 of the NDPS Act and Section 52-A of the Prisons Act, in a case arising out of FIR No.173 dated 19.06.2013, registered at Police Station City District Ferozepur.

As per the allegations in the FIR, the petitioner had thrown packet of 4300 intoxicated tablets weighing 350 gms. and one mobile from outside the Central Wall of the Central Jail, Ferozepur to one Rakesh Saluja. In a disclosure statement made by Rakesh Saluja, he stated that Udik Chand @ Ladda-petitioner had got this packet from his wife and thrown it in the jail. The recovery was 4300 intoxicated tablets weighing 350 gms. As per the FSL report the recovery falls under the commercial quantity.

The petitioner was not arrested from the spot and he

has been named in the FIR on the basis of disclosure statement made by Rakesh Saluja, his role with regard to throwing of packet of intoxicated tables will be considered by the trial Court at the final stage. He has been in custody since 19.07.2013 and in the trial out of 12 witnesses one has been examined. He is not facing any other trial.

Keeping in view the above facts, the petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

05.02.2015

Vinay

(RITU BAHRI)
JUDGE