

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M-54824-2018
Date of decision: 17.12.2018

Devinder Kumar @ Dhola

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. P. S. Sullar, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 66 dated 27.08.2018, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Badali Ala Singh, District Fatehgarh Sahib, however, only the offence under Section 29 of the NDPS Act was invoked against the petitioner.

Learned counsel for the petitioner submits that as per the allegations in the FIR, on the basis of the disclosure statement suffered by main accused Bhagwant Singh @ Bant, from whom the recovery was effected, the petitioner was involved in the present FIR and no recovery was effected from the petitioner in pursuance to the disclosure statement of the aforesaid main accused.

Learned State counsel, on instructions from SI Jaspal Singh, has submitted that as per the disclosure statement of aforesaid main accused,

the petitioner has supplied tablets recovered from the main accused.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that no recovery was effected from the petitioner; he was not named in the FIR and also in view of the fact that he is not involved in any other case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

December 17, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No