

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

CRM-M-19701-2019 (O&M)

Date of decision : 07.05.2019

Harmanjot Singh Jyoti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Jigyasa Tanwar, Advocate for the petitioner.

Mr. Ramdeep Pratap Singh, DAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

Prayer in the petition is to grant regular bail to the petitioner in FIR No.141 dated 06.07.2017 registered under Sections 15/61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sahnewal, District Ludhiana.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated as he was not named in the FIR. Petitioner has been implicated on the statement of co-accused Inderjit Singh (since expired) which is weak type of evidence. It has further been contended that there is no recovery from the petitioner and the investigation is complete.

On the other hand, learned counsel for the State has submitted that in view of Bar contained in Section 37 of the Narcotic Drugs and

Psychotropic Substances Act, 1985, petitioner cannot be granted concession of bail.

This Court has considered the submissions of both the counsels and without commenting on the merits of the case, it is suffice to note that it shall be debatable that what is the value of the evidence of co-accused. Investigation is complete. Petitioner is not involved in any other case. Hence, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Ludhiana.

Accordingly, the present petition is allowed.

07.05.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No