

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

**CRM No.M-33437 of 2020 (O&M)
Date of Decision: November 09, 2020**

Dilshad

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Mohd. Yousaf, Advocate, for the petitioner.

Ms.M.S.Nagra, AAG, Punjab for the respondent-State.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of the pandemic COVID-19 situation

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.68 dated 11.06.2020 under Sections 22 and 29 of the NDPS Act, registered at Police Station City-II, Malerkotla, District Sangrur.

Heard on the petition.

As per version of the prosecution, on 11.06.2020, Mohd. Soaib was intercepted by the police in pursuance of the secret information and 80 strips of Clovidol 100 SR, each strip containing 10 tablets i.e. total 800 tablets were recovered from his possession and he did not produce any valid permit or licence for being in possession of the aforesaid extent of tablets.

However, it is submitted by learned counsel for the petitioner that present petitioner Dilshad was not intercepted at the time of alleged

recovery. In fact, he has been nominated in this case in pursuance of the

disclosure statement allegedly made by accused Mohd. Soaib. It is further submitted by learned counsel for the petitioner that it was only on 27.07.2020, in pursuance of telephonic call made by the police official, that present petitioner went to the police station and he was nominated as accused in the aforesaid case. Relating to the same, CD has also been placed on record, which is Annexure P-2 and hard copy of the detailed conversation between the petitioner and the police personnel has also been placed on record as Annexure P-3. As such, a prayer has been made for grant of bail to the petitioner.

On the other hand, learned State counsel resisted the claim of the petitioner. He submits that there is active participation of the petitioner in transit of the drugs as main accused Mohd. Soaib had purchased the recovered tablets from Dilshad, present petitioner.

The present petitioner having nominated as accused on 27.07.2020, is not so disputed by learned State counsel. It is also further necessary to note that challan has not yet been presented in the present case.

Considering the aforesaid fact situation, without making any reference to the merits of the case, I deem it appropriate to grant regular bail to the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court.

(ARCHANA PURI)
JUDGE

November 09, 2020
Vgulati

Whether speaking/reasoned
Whether reportable

Yes
Yes/No