

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

CRM-M-18900-2021

DECIDED ON: 22nd September, 2021

Mukha Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Prateek Pandit, Advocate for petitioner.

Ms. Samina Dhir, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No.293 dated 2.9.2020, under Sections 21(c), 29 NDPS Act 1985, Section 195 IPC, 1860 and Sections 181, 192 of Motor Vehicles Act, 1988, registered at Police Station Sultanpur Lodhi, District Kapurthala.

The facts in brief are that police party on 2.9.2020 during routine patrolling checked Lakhwinder Singh @ Lakha, who was riding a motor cycle. From his conscious possession 270 grams of Heroin was recovered. On disclosure statement made by Lakhwinder Singh @ Lakha, the petitioner was nominated stating to be a supplier of the contra-band recovered.

Learned counsel for the petitioner submits that the petitioner in this case was arrested on 27.2.2021. No recovery was made.

Investigation is complete. Challan stands presented.

Learned State counsel on instructions from ASI Sukhdev Singh submits that the petitioner is not involved in any other case under NDPS Act. Petitioner was the supplier. She fairly submits that challan stands presented.

Petitioner was granted interim bail by this Court on 21.5.2021. There are no allegations that he involved himself in any criminal activity during the period of interim bail. No recovery was made from petitioner. His name surfaced in disclosure statement. Investigation is complete. Conclusion of trial is likely to take time. Interim bail granted to the petitioner is made absolute. Petitioner shall furnish surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned, if not already furnished.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

22nd September, 2021

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*