

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

223

**CRM-M-32811 of 2021 (O&M)
Date of Decision:22.09.2021**

Arshdeep Singh @ Akash

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Raman Goklaney, Advocate, for
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.25, dated 28.03.2021, having been registered at Police Station Lakho Ke Behram, District Ferozepur, alleging therein the commission of offences punishable under Sections 22 of the NDPS Act, 1985, (with Section 29 of the NDPS Act added later).

Learned counsel for the petitioner submits that the petitioner has only been nominated as an accused on an alleged disclosure statement made by a person from whom a large quantity of intoxicant tablets was recovered (as per the case of the investigating agency), with nothing even thereafter recovered from the petitioner.

Though otherwise it would be very strange that with there being no other criminal case registered against the petitioner (as per learned counsel appearing for him), why the police would simply implicate him, without even knowing his name, he submits that the petitioner has possibly been named as an accused only because an FIR was earlier registered against his father.

Learned State counsel, upon query, could not deny that the petitioner has been named only on a disclosure statement made; however he submitted that he being the person from whom the intoxicant tablets were purchased, as per his co-accused, he does not deserve to be admitted to bail.

Having considered the matter, in my opinion, at least for the purpose of this petition, the petitioner has made out a case where he may be granted benefit, even in terms of Section 37 (1)(b) of the NDPS Act, 1985.

Consequently, without making any comment on the actual merits of the case, the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial court/Duty Magistrate concerned.

September 22, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes