

**217 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH  
CRM-M-46839-2021  
Date of Decision: 12<sup>th</sup> November, 2021**

Rahul

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present : Mr. Munish Puri, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab  
for the respondent-State.

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**AVNEESH JHINGAN , J.(Oral)**

1. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 91, dated 02.06.2021, under Sections 21, 22, 29 Narcotic Drugs & Psychotropic Substances Act, 1985 [hereinafter referred to as 'Act'], registered at Police Station Division No.2, District Pathankot.

2. The facts in brief are that acting on a secret information on 2<sup>nd</sup> June, 2021, police apprehended two accused Mahinder Pal @ Soma and Rohit Kumar. There was recovery of 100 capsules mark Parvon Spas, 2.5 grams of intoxicant powder from Mahinder Pal and 100 capsules Parvon Spas were recovered from Rohit Kumar. The petitioner was named by co-accused in a disclosure statement stating that the recovered contraband was purchased from the petitioner.

3. Learned counsel for the petitioner submits that no recovery was made from the petitioner. Petitioner was not apprehended from the spot. It is a case of false implication due to his involvement in other FIRs.

4. Learned State counsel opposes the prayer for grant of regular bail. She submits that petitioner is involved in six more FIRs out of which five are under the Act.

5. Petitioner's involvement in other cases would not in itself be a ground to deprive his personal liberty. Considering the facts that the petitioner was named in disclosure statement, no recovery was made from him and conclusion of the investigation and trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petition is allowed.

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

(AVNEESH JHINGAN )  
JUDGE

12<sup>th</sup> November, 2021  
*Parveen Sharma*

Whether reasoned/speaking  
*Whether reportable*

Yes/No  
*Yes/No*