

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

**CRM-M No.51409 of 2021
Date of Decision : 15.12.2021**

Prince Pruthi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Kumar Passi, Advocate
 for the petitioner.

Mr.S.S.Deol, DAG, Punjab.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking regular bail in FIR No.30 dated 15.04.2021 registered under Section 22 of NDPS Act, 1985 (later on added Section 29 of the NDPS Act, 1985) registered at Police Station Lakho Ke Behram, District Ferozepur.

Learned counsel for the petitioner has argued that the petitioner has been involved in the present case only on the basis of disclosure statement of co-accused, namely, Vijay Kumar @ Vijay from whom, the recovery of the contraband was done. Learned counsel submits that as per disclosure statement, the contraband was purchased by co-accused Vijay Kumar from the petitioner, which allegation stated before the police carries no weight as of now and even otherwise, the said allegations are yet to be proved during the trial, hence, as the trial is likely to take sometime, the petitioner may be granted the benefit of regular bail.

Learned State counsel concedes the factum that no recovery of the contraband has been done from the petitioner but as per disclosure

statement of the co-accused, the contraband was purchased from the petitioner by the said co-accused. Learned counsel submits that investigation is over and the challan is likely to be submitted within a period of one week.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that it is a conceded position that no recovery of the contraband has been done from the petitioner and the petitioner has been roped in the present case on the basis of the disclosure statement of co-accused, which statement is yet to be proved during the trial and as the trial is likely to take sometime before it concludes, the petitioner has made out a case for grant of regular bail especially in view of the fact that the petitioner has undertaken before this Court that in case he is granted bail, he would not interfere with the trial or the witness in any manner and will maintain good conduct.

In case of default of the undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

The petitioner is directed to be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

15.12.2021
hemlata

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : Yes