

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

DECIDED ON: 26th April, 2022

(1) CRM-M-45249 of 2021

Bhuro

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(2) CRM-M-8274 of 2022

Charno

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Munish Raj Chaudhary, Advocate and
Mr. P.S. Sekhon, Advocate for petitioners.

Mr. Sandeep Kumar, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

These two petitions under Section 439 Cr.P.C. are filed seeking regular bail in case of FIR No.91 dated 24.7.2021, under Sections 22, 25, 61 of NDPS Act, 1985 and later on Section 29 of NDPS Act, 1985 has been added, registered at Police Station Barnala, District Barnala.

The fact shorn of unnecessary details are that on 24.7.2021, Manjit Kaur and Kamal @ Kamal Krishan were apprehended by the police party and 2500 tablets of Tramadol Hydrochloride were recovered. During investigation it was disclosed that they had sold two boxes each to Dhanno Kaur, Charno (petitioner) and Bhuro (petitioner). Both the petitioners were arrested on 26.7.2021, recovery of 490 tablets of Tramadol Hydrochloride from Charno and 510 tablets from Bhuro was made.

Learned counsel for the petitioners submits that recovery from the petitioners is of non-commercial quantity. It is a case of false implication. Investigation is complete, no further recovery is to be made. The contention is that accused Dhano was granted anticipatory bail by this Court.

Learned State counsel opposes the prayer and submits that as per the disclosure of the co-accused, two boxes each of Tramadol tablets were sold to the petitioners.

Without commenting upon the merits of the case, considering that the recovery from the petitioners is of non-commercial quantity, they were named in disclosure statement, albeit the investigation is complete conclusion of trial is likely to take time, bail is granted to the petitioners on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petitions are allowed.

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

26th April, 2022

reema

**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>