

232 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-13645-2022

Date of Decision: 6th April, 2022

Arun @ Bunty

Petitioner

Versus

The State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Gaurav Datta, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 0183, dated 09.11.2021, under Sections 21, 25, 29, 61 of NDPS Act, 1985, registered at Police Station Sadar, District Jalandhar.
2. Police party acted upon a secret information and on 9.11.2021 apprehended four accused namely Navdeep Kumar, Joga Singh, Amit Kumar and Harjit Singh @ jeeta on a road leading to village Diwali towards Jandiala. Recovery of twenty gram of Heroin from the Navdeep Kumar, five hundred gram from the Joga Singh, five hundred gram from Amit Kumar and twenty gram from Harjit Singh @ Jeeta was made. The petitioner was named in a disclosure statement as indulging in purchase and supply of *Heroin*.
3. Learned counsel for the petitioner submits that no recovery was made from the petitioner and he was named in a disclosure statement. Petitioner is in custody since 9th November, 2021 and he is not involved in any other case. Co-accused from whom the recovery was made was granted

bail.

4. Learned State counsel opposes the prayer for grant of regular bail and submits that from the four accused total one kilogram forty gram of *Heroin* was recovered. He on instructions is not in a position to dispute the fact that petitioner is not involved in any other case. He is not able to distinguish the parity of the petitioner with co-accused vis-a-vis grant of bail is concerned.

5. Without commenting upon the merits of the case, considering that no recovery made from the petitioner, his name was surfaced in a disclosure statement, co-accused was granted bail by this Court, petitioner has no criminal antecedents and conclusion of the 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

6th April, 2022

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No