

225 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-13507-2022

Date of decision: 5th April, 2022

Karan

Petitioner

Versus

The State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Gaurav Dutta, Advocate for the petitioner.
Mr. Kirat Singh Sidhu, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. This petition is filed seeking regular bail in case of FIR No. 183 dated 9th November, 2021, under Sections 21, 25, 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act') registered at Police Station Sadar, District Jalandhar.
2. Police party acted upon a secret information and on 9th November, 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 Navdeep Kumar, five hundred gram from Joga Singh, five hundred gram from Amit Kumar and twenty gram from the Harjit Singh @ Jeeta was made. Karan (petitioner) was named in a secret information and thereafter in the disclosure statement of the co-accused. The role attributed to the petitioner is that he along with co-accused used to supply heroin on

different vehicles.

4. Learned counsel for the petitioner submits that no recovery was made from the petitioner, he was nominated on the basis of secret information and disclosure statement. Petitioner is in custody since 16th November, 2021 and he is not involved in any other case. Reliance is placed upon the fact that co-accused were granted bail by this Court.

5. 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.

6. Without commenting upon the merits of the case, considering that petitioner was not apprehended from the spot, no recovery was made from the petitioner, he has no criminal antecedents, co-accused were granted bail by this Court, evidentiary value of the disclosure statement and secret information would be subject matter of the trial, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. 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

5th April, 2022

Parveen Sharma

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