

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

CRM-M-21269 of 2022 (O&M)

DECIDED ON:23rd May, 2022

Mousin Khan Mohseen Ali

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Saurabh Sharma, Advocate for petitioner.

Mr. Dimple Jain, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Petitioner is seeking regular bail in case of FIR No.75 dated 1.2.2022, under Sections 22C of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act'), registered at Police Station Baldev Nagar, District Ambala.

As per the case set up, police party on 1.2.2022 apprehended Joginder Sharma and Vishal Kumar Bhatia. From their possession 175 injection of *Bupin* (containing Buprenorphine salt) were recovered. The petitioner was named by the co-accused as supplier of the recovered contraband.

Learned counsel for the petitioner submits that it is a case of false implication. No recovery was made from the petitioner. The petitioner is not involved in any other case.

Learned State counsel opposes the prayer and submits that there are call details between the petitioner and Vishal Kumar Bhatia.

Without commenting upon the merits of the case, considering that the petitioner has no criminal antecedents, his name surfaced in disclosure statement, no recovery was made from him, though investigation is complete conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

Since the main case has been decided, the pending application, if any is rendered infructuous.

23rd May, 2022

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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*