

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

CRM-M-25947-2022
Date of Decision:-**28.09.2022**

PRABHDEEP SINGH ALIAS PRABH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Ram Vilas Gupta, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.61 dated 8.4.2022 registered under Sections 21, 22, 25, 29 NDPS Act and Section 25 of Arms Act at Police Station City Tarn Taran District Taran Taran.

The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and he was not arrested at the spot. The counsel for the petitioner further submits the petitioner is languishing behind bars since last more than 5 months and is having no criminal history and no incriminating article was recovered from his possession and as such prayer is made by grant of regular bail.

The instant petition is opposed by the State counsel, who has furnished the custody certificate of the petitioner, as per which, the petitioner is having no criminal history and he is behind the bars since last more than 5 months. The State counsel on instructions from ASI Nishan Singh has apprised the Court that proceedings initiated under NDPS Act have already been dropped in the present case against the all the accused persons on the basis of the report of FSL, as per which no narcotic or psychotropic substance was found in the sample, which was sent to the laboratory for analysis. The State counsel has also not disputed the fact that no incriminating article was recovered from the possession the present petitioner.

I have considered the submissions made by counsel for the parties.

In view of the above, as no contraband or any other incriminating article was recovered from the custody of the petitioner, so no purpose is going to be served by keeping the accused behind the bars for any longer period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

28.09.2022
Gaurav Sorot

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No