

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-30007 of 2021
Date of Decision:29.04.2022

Dinesh Chand

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Virender Kumar, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab

AMOL RATTAN SINGH, J. (ORAL)

Vide this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.27, dated 17.02.2021, having been registered at Police Station Shambu, District Patiala, alleging therein the commission of an offence punishable under Section 22/29/61/85 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that even as per the case of the respondent State, there has been no recovery of contraband from the petitioner, who is stated to have been named as a co-accused on a disclosure statement allegedly having been made by the person who was apprehended at the spot carrying 12000 tablets of Limotil, with such disclosure statement having been made in police custody and further, upon direction of this court even as per the additional affidavit filed by the DSP, Circle Ghanour, District Patiala, there were

only 9 telephone calls shown to have been exchanged between the petitioner and the aforesaid person, i.e. Jasmeet Singh, between 05.02.2021 to 15.02.2021, i.e. over a course of ten days.

As per the custody certificate filed in court today by learned State counsel, there is no other criminal case shown to be registered against the petitioner.

That being so, with the petitioner only having been implicated on the basis of an alleged disclosure statement made in police custody and nine phone calls exchanged in ten days between him and the aforesaid person, in my opinion it is a fit case where the petitioner deserves to be admitted to bail even in terms of Section 37(1)(b)(ii) of the NDPS Act, 1985.

Consequently, it is accordingly ordered and he is directed to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial court.

April 29, 2022
dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes