

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

CRM-M-271-2023
Date of decision: 24.07.2023

SUKHWINDER SINGH ALIAS RAJWEER SINGH

...Petitioner

V/s

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. N.S. Dandiwal, Advocate
 for the petitioner.

 Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA J. (ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is to grant regular bail in case FIR No.86 dated 04.07.2022 registered under Sections 22/61/85 of Narcotic Drugs and Psychotropic Substance Act, 1985 at Police Station Badhni Kalan, District Moga (Annexure P-1).

2. As per allegations, 50 tablets of Etezola 0.5 mg were recovered from the possession of the petitioner on 04.07.2022. The total weight of Etezola was found to be 6.85 grams, which was in commercial quantity.

3. It is contended by learned counsel that as per allegations, the petitioner was carrying the contraband in transparent polythene envelope, which in itself reveals that he has been falsely implicated because no person will commits such a crime by carrying contraband in a transparent bag.

4. Notice of motion.

5. Mr. M.S. Nagra, AAG, Punjab, who is present in the Court, accepts notice on behalf of respondent-State. Learned State counsel has placed on record the custody certificate, as per which, petitioner is in custody for the last 01 year and 16 days and he has no criminal antecedents.

6. However, learned State counsel could not refute the contention that alleged contraband has been recovered from the transparent bag of the petitioner.

7. Having regard to the aforesaid facts and circumstances but without commenting anything further on the merits of this case, the petitioner is admitted to be released on bail subject to his furnishing of adequate bail bonds/surety bonds to the satisfaction of the learned trial Court/Illaq Magistrate/Duty Magistrate concerned.

24.07.2023
manisha

(DEEPAK GUPTA)
JUDGE

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