

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

**CRM-M-6837-2023
DECIDED ON: 03.05.2023**

HARSIMRAN SINGH ALIAS LUCKY

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. P.S. Dhaliwal, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG Punjab.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.85, dated 17.07.2022, under Section 21, 25, 29 (Act No. 61 of 1985) of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Barnala, District Barnala.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case only on the basis of disclosure statement of Gurjit Singh from whom the recovery of 280 grams of heroin was effected and he has not been apprehended at the spot.

Learned State counsel has filed custody certificate in the Court today and the same is taken on record. He has not controverted the fact with regard to the recovery of contraband from the pocket of co-accused namely

Gurjit Singh only and petitioner has been arrayed as an accused on the basis of disclosure statement made by Gurjit Singh.

In the light of the aforesaid facts and added with the fact that the petitioner is not involved in any other case, as is evident from custody certificate, who has spent 9 months and 11 days so far and the trial is at the stage of PWs wherein out of total 15 prosecution witnesses only 6 have been examined so far meaning thereby, the conclusion of trial shall take sufficient long time, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

The petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

However, it is made clear that anything stated hereinabove, shall not be construed as an expression of opinion on the merits of the case.

(SANDEEP MOUDGIL)
JUDGE

03.05.2023

Lavisha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>