

222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:091477
CRM-M-18580-2022
Date of Decision: July 20, 2023

Sapinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. L.S. Sekhon, Advocate for the petitioner.

Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.(Oral)

Petitioner is praying for regular bail under Section 439 Cr.P.C. in case FIR No.184, dated 01.10.2021, registered at Police Station Division No.7, Lohdiana, District Ludhiana, under Section 22-C of the NDPS Act, 1985.

As per allegations, 2000 intoxicant tablets were recovered from the possession of the petitioner on 01.10.2021, on the basis of a secret information.

It is contended by learned counsel for the petitioner that though as per prosecution case, petitioner had allegedly thrown the packet containing the contraband, but in the site plan (Annexure P-6), only one point is shown from where the petitioner was apprehended. No point is shown where the polythene containing the contraband was thrown by the petitioner nor any point is shown where the police found the contraband. Learned counsel has specifically pointed out that recovery had been effected in the night time and so it is doubtful as to whether the police effected the recovery of same material, which was allegedly thrown by the petitioner.

Learned State counsel could not controvert the aforesaid submissions. Besides, the custody certificate placed on record reveals that the petitioner is in custody for the last 1 year, 9 months and 18 days in this case. He has no criminal antecedent.

Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the petitioner is admitted to regular bail and he is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned.

Allowed.

July 20, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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