

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223 (02 cases)

CRM-M-20327-2023
Date of Decision.:28.08.2023

Kawaljit
Vs.
State of Punjab

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Manoj R. Sharma, Advocate
for the petitioner.

Mr. Randeep Singh Khaira, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.172 dated 02.09.2022 registered under Sections 22, 29 of NDPS Act, 1985 (Section 29 of NDPS Act, 1985 added later on) registered at Police Station Samrala, District Ludhiana.

2. As per the prosecution allegations, 10,000 intoxicant tablets containing Tramadol Chelcidol 100 SR; 6,000 intoxicant tablets containing Alprasafe 0.5 were recovered from the possession of co-accused Bittu, who nominated the name of the petitioner Kawaljit to the effect that he (Bittu) had to supply the same to the petitioner.
3. It is contended by learned counsel that petitioner has been falsely implicated; that no recovery has been effected from the petitioner; that petitioner is in custody since 04.09.2022.
4. Learned State counsel concedes that no recovery was effected

from the petitioner. Custody certificate has been placed on record by learned State counsel reveals that petitioner is involved in two more cases under NDPS Act. However, it is conceded by learned State counsel that petitioner is on bail in both cases.

5. Having regard to the fact that no recovery was effected from the petitioner in this case and that he is in custody since date of his arrest i.e. 04.09.2022 and trial is likely to take long time to conclude, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

August 28, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No