

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

CRM-M-23465-2023
Date of decision: 24.07.2023

SIKANDER SAHNI

...Petitioner

V/s

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

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

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

DEEPAK GUPTA J. (ORAL)

By way of this petition filed under Section 439 Cr.P.C., the petitioner has prayed for grant of regular bail in case FIR No.0032 dated 18.02.2023 registered under Sections 22 61 of NDPS Act, 1985 at Police Station Dugri, District Police Commissionerate, Ludhiana.

2. As per the allegations, 2 kgs. of Ganja was recovered from the conscious possession of the petitioner.

3. It is contended by learned counsel for the petitioner that he has been falsely implicated.

4. Status report by way of affidavit of Rajesh Kumar (PPS), ACP, Ludhiana (South) on behalf of the respondent-State has been filed and the same is taken on record.

5. Learned State counsel concedes that recovered quantity falls in the non-commercial category but bail petition is opposed on the ground that

petitioner is involved in 06 more cases, as per the custody certificate placed on record, out of which 05 cases pertain to NDPS Act.

6. However, learned counsel for the petitioner submits that petitioner is on bail in all the cases and that he has been falsely implicated in those cases. Learned counsel submits that because of the previous cases, he has been implicated in this case also.

7. Custody certificate reveals that petitioner is in custody since last 05 months and 02 days. It is a conceded position that recovered quantity is in the category of non-commercial.

8. Having regard to the aforesaid facts and circumstances but without commenting upon the merits of this case, the instant petition is allowed. Petitioner is ordered to be released on bail subject to his furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate concerned.

24.07.2023
manisha

(DEEPAK GUPTA)
JUDGE

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