

S. No.215

2023:PHHC:113868

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27509 of 2023

Date of Decision:31.08.2023

Pawan Kumar Khandelwal

.....Petitioner

Vs.

State of Haryana

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. R.S. Rai, Senior Advocate with
Mr. Karan Pathak, Advocate for the
petitioner.

Mr. Randhir Singh, Addl. AG, Haryana.

DEEPAK GUPTA, J.

By way of the present petition filed under Section 439 Cr.P.C, petitioner has prayed for grant of regular bail in case FIR No.0248 dated 06.05.2023 registered under Section 22(c)-61-85 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Hodal, District Palwal.

As per prosecution allegations, 115 bottles of *Chloropheniramine Maleate Codeine Phosphate Syrup Welcyrex Cough Syrup 100 ml Welcyrix each containing 100 ml* and *115 of bottles of Codeine Phosphate Chloropheniramine Maleate Syrup Onerex Cough Syrup 100 ml Wings Biotech LLP 100 ml eaching containing 100 ml* were recovered from the possession of Hamid, who in his disclosure statement, initially stated to have purchased the contraband syrup from *Chhotu Medical Store* but later on, retracting from the earlier statement, he made fresh disclosure statement to have purchased the contraband from *Madhav Medical Store*, Pahadi.

It is contended by learned counsel that petitioner has been falsely implicated; that he has no connection with the co-accused Hamid as he is living at a huge distance from the place of Hamid and that no recovery has been effected from him.

Status report by way of affidavit of Shri Sandeep Mor, Deputy Superintendent of Police, Palwal, District Palwal has been filed on behalf of the respondent- State. Learned State Counsel concedes that there is neither any recovery from the petitioner nor petitioner has any criminal antecedents.

On specific query put to learned State Counsel, he concedes that no link like any call details records could be found between the petitioner and co-accused.

Having noticed all the afore-said facts but without commenting on the merits of the case, petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/ Duty Magistrate concerned.

Disposed of.

August 31, 2023
renu

(DEEPAK GUPTA)
JUDGE

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