

(219)

2023:PHHC:092358

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

CRM-M-30099 of 2023

Date of Decision: July 21, 2023

**Shaddab @ Manoj Tiwari
Versus
State of Haryana**

**...Petitioner
...Respondent**

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. G.C. Shahpuri, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C, has been made for grant of regular bail in case FIR No.265 dated 04.10.2022, registered under Sections 22C and 29 of Narcotic Drugs and Psychotropic Act, 1985 at Police Station BPTP, District Faridabad.

Status report by way of affidavit of Shri Aman Yadav, Assistant Commissioner of Police, Crime, Faridabad has been filed on behalf of the respondent- State. Custody certificate has been placed on record.

It is contended by learned counsel for the petitioner that no recovery has been effected from the petitioner and that he has been falsely implicated. Learned counsel also pointed out that 1600 injections of Buprenorphine have been recovered from the possession of co-accused Rohit Chandila whereas another 1492 injections of Buprenorphine have been recovered from the Courier Company i.e. Trackon Courier Company which was booked by co-accused Ajay.

Learned State Counsel submits that it is at the instance of the petitioner that Ajay had booked the courier for delivery to Rohit Chandila. However, it is conceded by learned State Counsel that no recovery has been effected from the petitioner. It is also conceded that as per the statement of the representative of the Trackon Courier Company, it is Ajay, who had booked the contraband for delivery to Rohit.

It is also the case of the prosecution that the petitioner is in illegal trade of drugs. However, the custody certificate placed on record by learned State Counsel reveals that petitioner has no criminal antecedents. He is in custody for the last 09 months and 15 days in this case.

Having regard to all the afore-said facts and circumstances of the case, but without commenting anything on the merits of the case, the 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.

July 21, 2023

renu

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No