

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

CRM-M-30529-2023

Date of decision : 21.6.2023

Ashu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present :- Mr. Vasu Ranjan Shandilya, Advocate
for the petitioner.

Mr. Harpreet Singh, Additional A.G. Punjab.

VIKRAM AGGARWAL, J. (ORAL)

1. The prayer in the present petition preferred under Section 439 Cr.P.C. is for the grant of regular bail to the petitioner in FIR No. 70 dated 7.3.2023 registered under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Dera Bassi, District SAS Nagar (Mohali).

2. On 7.3.2023, one Gurjit Singh alias Lala was apprehended and 13500 intoxicant tablets containing tramadol were recovered from him. On interrogation, he suffered a disclosure statement stating that he had purchased the said contraband from the present petitioner. The present petitioner was also arrested on 10.3.2023.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated. He submits that no recovery has been made from him and he has only been arrested on the basis of disclosure statement of Gurjit Singh alias Lala. He further submits that the petitioner is in custody since 10.3.2023; the trial will take a sufficiently long time and therefore, no useful purpose would be served by keeping the petitioner in custody any longer.

4. On the other hand, learned counsel representing the State of Punjab has opposed the bail application. It has further been stated that no other case is pending against the present petitioner and no other evidence is against the petitioner in the present case.

5. The petitioner is in custody since 10.3.2023. He was nominated as an accused on the basis of disclosure statement suffered by Gurjit Singh alias Lala. Co-accused Azad Singh has already been released on regular bail by this Court vide order dated 29.5.2023. No recovery was effected from the present petitioner. In the considered opinion of this Court, no useful purpose would be served by keeping the petitioner in custody any longer.

6. In view of the aforementioned facts and circumstances, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, SAS Nagar.

(VIKRAM AGGARWAL)
JUDGE

21.6.2023
sjks

Whether speaking/reasoned : Yes
Whether reportable : No