

227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:087495
CRM-M-31011-2023
Date of Decision: July 13, 2023

Bittu Ram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ajay Kumar Rana, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner is praying for regular bail in case FIR No.65, dated 28.03.2023, registered at Police Station Sadar Tohana, District Fatehabad, under Section 18(b)(c) of the NDPS Act (Section 18(b) is mentioned in the FIR and in order of declining bail Section 18(c) is mentioned).

As per allegations, 96 grams of opium from the petitioner, 77 grams of opium from co-accused Gurmeet Singh was recovered from their conscious possession on 28.03.2023. As per disclosure statements made by them, they had purchased 175 grams of opium from one Jaib, who has not been arrested so far.

It is contended by learned counsel for the petitioner that petitioner has been falsely implicated; that recovered quantity of contraband falls in the intermediate category and that he has no criminal antecedent. It is also contended that co-accused Gurmeet Singh has already been allowed regular bail by this Court vide order dated 01.06.2023 passed in CRM-M-27291-2023.

Notice of motion.

Mr. Randhir Singh, Addl. A.G., Haryana accepts notice on behalf of respondent-State. Factual position is no disputed by learned

State counsel to the effect that recovered quantity of contraband falls within the intermediate category.

As per custody certificate placed on record by learned State counsel, petitioner is in custody for the last 3 months and 14 days with no criminal antecedent. Trial may take time to conclude.

Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the petitioner is admitted to regular bail and he is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned.

Allowed.

July 13, 2023

sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No