

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M-31619-2023
Date of Decision.:12.12.2023

Gurmeet Singh @ Geeta
Vs.
State of Punjab

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Harpreet Singh Jakhal, Advocate
for the petitioner.

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

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of this petition filed under Section 439 Cr.P.C in case FIR No.0286 dated 20.12.2022 registered under Sections 22 and 29 of NDPS Act, 1985 registered at Police Station Dharamkot, District Moga.

2. As per prosecution allegations, 160 loose intoxicant tablets were recovered from co-accused Amritpal Singh @ Ambu out of which 44 loose tablets contained the salt of Etizolam, the weight of which was found to 5.852 grams as per the FSL report. Petitioner has been nominated on the basis of disclosure statement of co-accused Amritpal Singh @ Ambu.

3. It is contended by learned counsel for the petitioner that petitioner has been falsely implicated; that he has never indulged in any such activity relating to narcotics; that no recovery was effected from the petitioner; that the petitioner is in custody for the last more than 07 months

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and so, he be allowed bail.

4. Learned State counsel could not refute the aforesaid contentions that neither any recovery was effected from the petitioner nor he was arrested from the spot and rather, he has been nominated on the basis of disclosure statement of co-accused. Custody certificate placed on record by learned State counsel reveals that petitioner is in custody for the last 07 months and 09 days. Though petitioner is involved in 02 more cases but none of those case pertain to the NDPS Act.

5. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

December 12, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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