

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-34421-2023
Date of Decision.:02.08.2023

Sunil Kumar
Vs.
State of Punjab

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Varun Goyal, Advocate
for the petitioner.

Mr. Randeep Singh Khaira, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.91 dated 06.05.2023 registered under Sections 22, 29, 61, 85 of NDPS Act registered at Police Station City Sangrur, District Sangrur.

2. On 24.07.2023, following order was passed by this Court:

“It is contended by learned counsel for the petitioner that petitioner has been falsely implicated simply on the basis of an inquiry from co-accused Gautam. Attention is drawn that secret information was received only against Priyanshu Garg and Sahil Pahwa, from whom the intoxicant tablets were recovered and who during interrogation named Gautam to be the supplier. Learned counsel for the petitioner contends that petitioner is a licenced wholesale dealer of drugs, as evident from Annexure P-2. Learned counsel for the petitioner further submits that as per Inspection Report dated 12.06.2023 (Annexure P-3), nothing was recovered from the possession of the petitioner.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of the respondent-State. Copy of paper book be supplied to him during the course of day.

Let status report be filed on 31.07.2023.”

3. Status report by way of an affidavit of Shri Sukhdev Singh PPS, Deputy Superintendent of Police, Sub Division, Sangrur has been filed. It is contended by learned State counsel that petitioner has been nominated by co-accused Gautam to be the supplier. However, it is conceded that no recovery has been effected from the petitioner.

4. As per the custody certificate placed on record by learned State counsel, petitioner is in custody since 01 month and 18 days with no criminal antecedents. Case is dependent only upon the disclosure statement of co-accused.

5. Having regard to all the aforesaid facts and circumstances and the fact that petitioner has no criminal antecedents 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.

August 02, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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