

221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:123482
CRM-M-34777-2023
Date of Decision: September 20, 2023

John Masih @ Johny

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Gurmeet Kaur, Advocate for
Mr. Dinesh Mahajan, Advocate for the petitioner.

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

DEEPAK GUPTA, J.(Oral)

Reply by way of affidavit of Shri Bajjit Singh, Deputy Superintendent of Police, PBI-cum-Dinanagar, District Gurdaspur, has already been received through Registry.

Custody certificate is taken on record.

Petitioner prays for grant of regular bail in case FIR No.26, dated 05.05.2023, under Sections 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 27 A of the NDPS Act added later on), registered at Police Station Purana Shalla, District Gurdaspur.

As per allegations, 10 grams of heroin along with drug money of ₹15,000/- were recovered from the petitioner on 05.05.2023.

It is contended by learned counsel for the petitioner that petitioner has been falsely implicated; that recovered contraband falls much below the commercial category as the commercial quantity starts from 250 grams of heroin.

Opposing the bail petition, learned State counsel submits that petitioner has criminal antecedents as he is involved in 04 other cases.

However, it is stated by learned State counsel that the recovered quantity is non-commercial.

Having regard to the aforesaid facts and circumstances, but without commenting further anything on the merits of the case and also considering the fact that the petitioner is in custody for the last 04 months and 15 days, the petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

Allowed.

September 20, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No