

IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

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CRM-M-36155-2023 (O&M)

Date of Decision: 01.08.2023

PARAS

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr. Hakam Singh, AAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FI R No.221 dated 30.12.2021, registered under Section 22 and Section 29 (added later on) of the NDPS Act, at Police Station C Division, District Amritsar.

Learned counsel for the petitioner submits that on the basis of a secret information co-accused, namely, Rahul was apprehended, who has since been granted the concession of regular bail on 18.04.2023; that on the basis of the disclosure statement of Rahul, co-accused, Vicky @ Laddu, was indicted in the present case, who has also been granted the concession of anticipatory bail by a Coordinate Bench of this Court vide order dated 11.02.2022, which was made absolute vide order dated 10.11.2022; that the alleged recovery of 3600 intoxicant tablets was effected from the house of co-accused/Vicky @ Laddu and that on the

basis of the disclosure statement of Vicky @ Laddu, the petitioner has been indicted in the present case.

Learned counsel for the petitioner further submits that nothing further is to recovered from the petitioner; that the only allegation against the petitioner is that he had supplied the contraband to the co-accused; that out of total 15 prosecution witnesses, none has been examined so far; that the petitioner has been in custody since 15.04.2023 and that there is no other case registered and/or pending against the petitioner.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner had actively participated in the occurrence, inasmuch as, he is the one from whom the co-accused had purchased the contraband, which is a commercial quantity. He further submits that material witnesses are yet to be examined and thus, the petitioner be not granted the concession of regular bail.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 15.04.2023. Nothing further is to recovered from the petitioner. The petitioner has been indicted on the basis of the disclosure statement of co-accused, namely, Vicky @ Laddu, who himself was indicted on the basis of the disclosure statement of co-accused, namely, Rahul. Rahul and Vicky @ Laddu have since been enlarged on bail. There is no other case registered

and/or pending against the petitioner. Prosecution evidence is yet to commence. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

01.08.2023

Aman Jain

**(HARNARESH SINGH GILL)
JUDGE***Whether speaking/reasoned : Yes/No**Whether reportable : Yes/No*