

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-36605-2023
Date of Decision.:03.08.2023

Mohamad SaifPetitioner
Vs.
State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Farukh Abdullah, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of third petition under Section 439 Cr.P.C in case FIR No.159 dated 05.10.2020 registered under Sections 20, 25 of NDPS Act, 1985 (Section 29 of NDPS Act, 1985 added later on) registered at Police Station Khanna, City-2, District Ludhiana.

2. As per allegations, 48 kgs. of Ganja was recovered from the rear boot space of a car, which was being driven by petitioner Mohamad Saif. Co-accused Mohammad Aslam was sitting on the conductor side.

3. It is contended by learned counsel for the petitioner that the car belonged to Rehmat Ali. Co-accused Mohammad Aslam has already been allowed regular bail vide order dated 30.07.2021 by a co-ordinate Bench of this Court in CRM-M-28760-2021.

4. Notice of motion.

5. On asking of the Court, Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of respondent- State.

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6. Though learned State counsel opposes the bail petition but does not dispute the aforesaid contentions.
7. Custody certificate as has been placed on record by learned State counsel reveals that petitioner is in custody for the last 02 years 09 months and 27 days. Trial may take time to conclude.
8. Having regard to all the aforesaid facts and circumstances and also on the basis of parity 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 03, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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