

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

228 CRM-M-38266-2023
Date of Decision.:30.10.2023

GautamPetitioner
Vs.
State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. G.S. Nahel, Advocate
for the petitioner.

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

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed 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, 1985 registered at Police Station City Sangrur, District Sangrur.

2. As per the allegations, 22,800 intoxicating tablets were recovered from the possession of co-accused Sahil Pahwa and Priyashu Garg. Allegations are that petitioner Gautam is the supplier to Sahil Pahwa.

3. Learned counsel for the petitioner contends that similarly placed co-accused Sunil Kumar has already been allowed bail by this Court vide order dated 02.08.2023 passed in CRM-M-34421-2023. Learned counsel for the petitioner further contends that no recovery was effected from the petitioner; and that his name has surfaced in the disclosure statement of the co-accused which is not admissible. Learned counsel also contends that

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petitioner has no criminal antecedents.

4. Status report by way of an affidavit of Shri Manoj Gors, PPS, Deputy Superintendent of Police, Sub-Division City Sangrur, District Sangrur along with custody certificate has been filed on behalf of respondent- State. Copy supplied.

5. Learned State counsel does not dispute the fact that petitioner has no criminal antecedents and that no recovery was effected from him. As per the custody certificate, petitioner is in custody for the last 04 months and 27 days. Co-accused Sunil Kumar has already been allowed bail by this Court vide order dated 02.08.2023 passed in CRM-M-34421-2023.

6. 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.

October 30, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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