

(209)

2023:PHHC:088226

2023:PHHC:088227

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of Decision: July 14, 2023

1. CRM-M-43404 of 2022

Aklesh Kumar	...Petitioner
Versus	
State of Punjab	...Respondent

2. CRM-M-46106 of 2022

Sonu Kumar	...Petitioner
Versus	
State of Punjab	...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Lakshay Bector, Advocate for the petitioners.
Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

In both the petitions stated above, petitioners seek regular bail in a case arising out of FIR No.112 dated 03.06.2022 registered under Sections 20, 29, 25, 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station S.T.F. Phase-4, SAS Nagar, Mohali.

As per the allegations, 2 kg of ganja was recovered from the joint possession of both the petitioners on 03.06.2022 by the police party. On the basis of disclosure statement suffered by them, 30 kg more ganja was recovered from the house of co-accused Sanjay Upadhya.

It is submitted by learned counsel for the petitioners that they have been falsely implicated; that they are in custody for the last more

one year; that the recovered quantity of contraband from them is non-commercial in nature and so they be allowed bail.

Learned State Counsel has opposed the bail petitions. The custody certificates placed on record reveal that both the petitioners are in custody for the last 01 year 01 months and 06 days as on 13.07.2023, and none of them have any criminal antecedents. It is also conceded that as far as present two petitioners are concerned, recovered contraband is non-commercial in nature.

Having regard to all the facts and circumstances of the case, but without commenting anything on the merits of the case, the petitioners in both the petitions are admitted to bail on their furnishing bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/ Duty Magistrate concerned.

Disposed of.

A photocopy of this order be placed on the file of connected case.

July 14, 2023
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(DEEPAK GUPTA)
JUDGE

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