

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

Sr. No.220

CRM-M-47167-2022

Date of Decision : April 13, 2023

Bilal Ahmed Bhatt

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Gursimran Singh, Advocate for
Mr. Sunny K. Singla, Advocate, for the petitioner.
Mr. Gurlal Singh Dhillon, AAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks regular bail in FIR No.104, dated 15.07.2022, registered at Police Station Nakodar Sadar, District Jalandhar, under Sections 15(c)/31/29/61/85 of NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been nominated as an accused in the aforementioned case only on the disclosure statement of the main accused. No recovery has been effected from the petitioner. The petitioner has been in custody in excess of 08 months and there is one other case under the NDPS Act, 1985 pending against him, in which, he has been granted regular bail by this Court vide order dated 31.01.2023 passed in CRM-M-47063-2022. In the said case also, the petitioner was nominated as an accused on the basis of disclosure of the main accused. The trial is not likely to be concluded at an early date as charges have also not been framed as yet. Thus, the petitioner may be granted regular bail.

Reliance is also placed upon judgment dated 07.10.2015 passed by a Division Bench of this Court in CRM-M-41021-2014 ***Chuni Lal vs.***

State of Punjab.

Custody certificate dated 12.04.2023 checked by Sh.Hemant Sharma, Additional Superintendent, Central Jail, Kapurthala has been filed in Court. The same is taken on record. According to the custody certificate, the petitioner has undergone actual custody of 08 months and 21 days and there is one other case under the NDPS Act, 1985 pending against him.

A perusal of a copy of order dated 31.01.2023 passed by this Court in CRM-M-47063-2022 shows that the petitioner has been granted regular bail in the said case because he was nominated as an accused on the disclosure of a co-accused and on the basis of parity.

Learned State counsel concedes that charges have not yet been framed.

It is thus evident that the petitioner has been named as an accused in this case on the disclosure of the main accused and no recovery has been effected from him. The trial is not likely to be concluded at an early date and thus, I deem it appropriate to grant regular bail to the petitioner. The petition is accordingly allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

The petitioner is however directed to mark his presence in the local police station on the first date of every month.

April 13, 2023
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No