

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

**Bilal Ahmad Bhat
Vs.
State of Punjab**

**CRM-M-47063 of 2022
Date of Decision:31.01.2023
.....Petitioner
.....Respondent**

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Gursimran Singh Madaan, Advocate
for the petitioner.

Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.

By way of this petition filed under Section 439 Cr.P.C, the petitioner prays for grant of regular bail in case FIR No.147 dated 11.12.2021 registered under Sections 15/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of NDPS Act added later on) at Police Station Sadar Ahmedgarh.

Allegations are that 70 kg of poppy husk was recovered from conscious possession of one Davinder Singh. In his disclosure statement, it emerges that said poppy husk was to be delivered to petitioner – Bilal Ahmad Bhat and Lakhvir Singh.

Co-accused Lakhvir Singh has already been allowed bail vide order dated 29.03.2022 in CRM-M-4957 of 2022.

As per custody certificate placed on record by learned State Counsel, petitioner – Bilal Ahmad Bhat is in custody for the last 05 months and 02 days. It is stated by learned State Counsel that case of the petitioner is on same footing with co-accused Lakhvir Singh. Bail is opposed only on the ground that one more case is registered against the petitioner.

It is conceded position that no recovery was effected from the petitioner. It is also conceded that except for the disclosed statement of the co-accused Davinder Singh, no other incriminating material has been found against the petitioner. Co-accused Lakhvir has already been allowed bail.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case, present petition is allowed. Petitioner- Bilal Ahmad Bhat is admitted to bail on his furnishing personal bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/ Duty Magistrate concerned.

January 31, 2023
renu

(DEEPAK GUPTA)
JUDGE

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