

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:164791
CRM-M-45375-2023
Date of Decision: December 21, 2023

Ravi Namdev @ Thakur @ Ravi Kumar ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. L.S. Sekhon, Advocate for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of present petition filed under Section 439 Cr.P.C., prayer is made for grant of regular bail in case FIR No.108 dated 27.08.2022, under Section 21, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Balongi, District SAS Nage (Mohali).

2. As per allegations, 260 grams of heroin were recovered from the possession of co-accused Satyam Kumar, who in his disclosure statement nominated Sandeep Shah; and said Sandeep Shah further nominated the petitioner and Anuj. Later on 50 grams of heroin was recovered from the possession of petitioner and Anuj.

3. It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated based upon the disclosure statement of co-accused; that he is not involved in any such case; that he is in custody for the last more than 01 year and 03 months and the trial may take time to conclude, so he be allowed bail.

4. Learned counsel for the petitioner contends further that co-accused Sandeep Shah has already been allowed bail by a co-ordinate Bench of this Court vide order dated 06.07.2023 passed in CRM-M-29669-2023.

5. Learned State counsel could not refute the aforesaid contentions to the effect that only 50 grams of heroin has been recovered from the petitioner and that he has no criminal antecedent.

6. Custody certificate also reveals that the petitioner is in custody for the last 01 years, 03 months and 12 days, with no criminal antecedent.

7. It is informed by learned State counsel that out of 13 witnesses cited by the prosecution, not even a single witness has been examined so far and thus the trial may take time to concluded.

8. Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case, petitioner is admitted to bail. He is ordered to be released on regular bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

December 21, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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