

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

212

CRM-M-49228-2022

Date of Decision: January 16, 2023

Avtar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

Petitioner is seeking regular bail under Section 439 Cr.P.C. in case FIR No.71 dated 14.04.2022 registered at Police Station STF Wing, SAS Nagar, Mohali under Section 21/23/29 of the NDPS Act, 1985.

One kilogram 650 grams of heroine i.e. of the commercial category was recovered from the co-accused Kulwinder Singh @ Gaggi and Ajay Singh @ Gargi on the basis of secret information. The allegation against the petitioner is that he had to buy the contraband and had to facilitate the co-accused in crossing the border.

It is contended by learned counsel for the petitioner that petitioner does not own or possess any land nearby the border.

Except for the disclosure statement of the co-accused there is no material against the petitioner.

Apart from the above, the custody certificate placed on

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record by learned State counsel reveals that petitioner does not have any criminal antecedents. He has already undergone custody of 8 months and 25 days.

Having regard to the aforesaid factual position but without commenting anything upon the merits of the case, bail of the petitioner is accepted. Petitioner is admitted to bail to the satisfaction of the learned trial Court/learned Chief Judicial Magistrate concerned.

January 16, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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