

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

**Neutral Citation No. 2023:PHHC:141739
CRM-M-54668-2023
Date of Decision: November 07, 2023**

Saleem

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Nitish Sharma, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner is seeking regular bail by way of this petition filed under Section 439 Cr.P.C. in case FIR No.72, dated 25.08.2023, under Sections 21, 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 25 of Act No.54 of Arms Act, 1959), registered at Police Station Dhakoli, District Mohali, Punjab.

Allegations against the petitioner are that he was found to be in possession of 7 grams of opium along with drug money.

Learned counsel for the petitioner contends that petitioner was earlier allowed interim bail vide order dated 19.09.2023 by learned Judge, Special Court, SAS Nagar, Mohali, till the receipt of the FSL report; that petitioner has surrendered before the Trial Court and that he is now in custody.

Learned counsel for the petitioner further contends that similarly placed co-accused Nitish Bishnoi has already been allowed bail by this Court vide order dated 02.11.2023 passed in CRM-M-52665-2023.

Notice of motion.

Mr. R.S. Khaira, DAG, Punjab accepts notice on behalf of respondent-State.

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Learned State counsel does not dispute the fact that the recovered quantity of contraband from the petitioner falls in the non-commercial category; and that co-accused Nitish Bishnoi has already been allowed bail.

Custody certificate as placed by learned State counsel reveals that the petitioner is in custody for the last 01 month and 16 days, with no criminal antecedent.

In view of the aforesaid facts and circumstances, but without commenting anything on the merits of the case, the petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

Allowed.

November 07, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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