

S. No.243

2023:PHHC:154213

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

CRM-M-59848 of 2023

Date of Decision:04.12.2023

Saajan Singh Pradhan

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Deepak Arora, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner has prayed for grant of regular bail in case FIR No.154 dated 05.09.2023 registered under Sections 21 and 29 (Act No.61 of 1985) of NDPS Act at Police Station Majitha, District Amritsar.

Allegations are that 260 grams of heroin was recovered from one Jugnu @ Aman, being carried in a transparent polythene. In his disclosure statement, said Jugnu @ Aman nominated one Maninder Singh from whom he had purchased the contraband. Said Maninder Singh further nominated the petitioner to be the supplier and then from the possession of petitioner, 25 grams of heroin was recovered.

It is contended by learned counsel that applicant- petitioner has been falsely implicated on the basis of subsequent disclosure statement of co-accused; that recovered quantity falls in the non-commercial category. Learned counsel has also contended that though petitioner is involved in one more case pertaining to NDPS Act, but he is on bail in that case.

Notice of motion.

Mr. P.S. Pandher, AAG, Punjab, accepts notice on behalf of the respondent- State.

Learned State Counsel could not refute the afore-said contentions particularly the fact that recovered quantity from the petitioner falls in the non-commercial category.

Custody certificate has been placed on record, which reveals that petitioner is in custody for the last 02 months and 12 days.

In view of the afore-said facts and circumstances, but without commenting anything on the merits of the case, present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned.

December 04, 2023
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(DEEPAK GUPTA)
JUDGE

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