

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-61859-2023

Date of Decision: December 13, 2023

GAUTAM MALHOTRA Petitioner
Versus
STATE OF PUNJAB Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Dinesh Mahajan, Advocate for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition, prayer has been made for grant of regular bail in case FIR No. 85 dated 17.08.2023 registered under Sections 22(c), 25, 27-A, 29, 61 and 85 Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Valtoha, District Tarn Taran (Annexure P-1) wherein the petitioner has been implicated on the basis of disclosure statement made by co-accused qua alleged recovery of 4000 tablets of Alprazolam.
2. The prayer made herein has been opposed at the instance of learned State counsel while referring to the huge recovery of intoxicant tablets involved.
3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.
4. In the present case, the petitioner is in custody for the last

almost 4 months now and was implicated on the basis of disclosure statement made by one co-accused namely, Neeraj, who in turn was implicated on a disclosure statement made by Gurbhaj Singh. Further, the petitioner being the first offender and there being no other case of NDPS pending against him, this Court does not find justification to extend his incarceration any further.

6. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

13.12.2023
tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

