

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:164846
CRM-M-63467-2023
Date of Decision: December 21, 2023

Maninder Singh @ Maninderbir Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vaibhav Narang, 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, under Sections 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act') (Section 29 of NDPS Act added later on), registered at Police Station Majitha, District Amritsar.

2. 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 the petitioner from whom he had purchased the contraband. The petitioner further nominated one Saajan Singh Pradhan to be the supplier and then from his possession, 25 grams of heroin was recovered.

3. It is contended by learned counsel that co-accused Saajan Singh Pradhan, from whom recovery of 25 grams of heroin was effected, has already been allowed bail by this Court vide order dated 04.12.2023 passed in CRM-M-59848-2023, copy of which is Annexure P-2.

4. Notice of motion.

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

7. Learned State Counsel could not refute the afore-said contentions particularly the fact that co-accused from whom 25 grams of heroin has been recovered, has already been allowed bail by this Court vide Annexure P-2; and that no recovery was effected from the petitioner.

8. Custody certificate has been placed on record, which reveals that petitioner is in custody for the last 03 months and 12 days.

9. In view of the aforesaid facts and circumstances, particularly the co-accused has already been allowed bail, but without commenting anything on the merits of the case, 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 on usual terms and conditions.

Allowed.

December 21, 2023

sarita

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No