

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2024:PHHC:007045
CRM-M-1577-2024
Date of Decision: January 19, 2024

Gopi Lal alias Gopi Bishnoi alias Gopi ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Goldy Jakhar, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for his release on regular bail in a case arising out of FIR No.0052 dated 03.05.2023, under Section 22 of the NDPS Act, 1985 (later on added Section 61/85/29 of NDPS Act, 1985 and Section 201 of IPC), registered at Police Station Sadar Jalalabad, District Fazilka.

2. Allegations are that 720 intoxicating tablet were recovered from co-accused Paramjit Singh @ Pamma on 03.05.2023, who nominated Ramesh Kumar @ Meshi. Said Ramesh Kumar @ Mehi, on interrogation, further nominated petitioner - Gopi Lal, Satpal Singh, Pardeep Kumar @ Pappi, Rajinder Singh @ Kala and Krishan Singh to be the supplier. On the basis of disclosure statement, co-accused Rajinder @ Kala was arrested and from his possession 1,20,000 tablets containing the salt of tramadol and alprazolam were recovered.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated; that no recovery was effected from him; that he is in custody for the last more than 08 months; that similarly placed co-accused Krishan Singh has already been granted the benefit of anticipatory bail by this Court vide order dated 11.12.2023 passed in

CRM-M-50840-2023 (Annexure P-2) and that the case of the petitioner is on similar footing.

4. Notice of motion.

5. Mr. Hakam Singh, AAG, Punjab accepts notice on behalf of respondent-State.

6. Learned State counsel has opposed the bail petition by pointing out that the petitioner is involved in one more case pertaining to NDPS Act. However, it is conceded that no recovery was effected from the petitioner in the present case and that the case of the petitioner is on the same footing as that of Krishan Singh, who has already been granted the benefit of anticipatory bail by this Court vide Annexure P-2.

7. As per custody certificate placed on record by learned State counsel, petitioner is in custody for the last 08 months and 07 days, though he is involved in one more case pertaining to NDPS Act, but he is on bail in that case.

8. Having regard to the aforesaid facts and circumstances, 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.

January 19, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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