

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

229

CRM-M-3564-2024
Date of Decision:11.03.2024

HARPREET SINGH ALIAS KALUPetitioner

Vs.

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Komal Preet Kaur, Advocate for
Mr. Deepak Arora, Advocate
for the petitioner.

DEEPAK GUPTA, J.(ORAL)

1. Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No. 154 dated 05.09.2023, registered under Sections 21 and 29 of NDPS Act, at Police Station Majitha, District Amritsar.
2. As per the allegations, 260 grams of heroine was recovered from the possession of co-accused Jugnu @ Aman who in his disclosure statement nominated one Maninder Singh to be supplier. Said Maninder was arrested and on interrogation he disclosed that he had purchased the contraband from Sajjan Singh. Recovery of 25 grams of heroine was effected from said Sajjan Singh. Sajjan Singh in his disclosure statement disclosed that he was habitual of selling heroine for the last two years and had bought 27 grams of heroine from Harpreet Singh @ Kalu i.e. the present petitioner.
3. Learned counsel contends that the petitioner has been falsely implicated; that no recovery has been effected from him; that his name has

surfaced in the disclosure statement of co-accused which is not admissible; that the quantity of heroine as allegedly sold by the petitioner falls in the non commercial category.

4. Notice of motion.
5. Mr. Amandeep Singh, DAG, Punjab accepts notice on behalf of the respondent-State.
6. Learned State counsel could not refute any of the aforesaid contentions. Custody certificate has been placed on record which reveals that petitioner is in custody for the last 5 months and 06 days. Learned State counsel further submits that challan has already been filed but charges are yet to be framed.
7. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the petitioner is admitted to regular bail and he is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned on usual terms and conditions.

Allowed.

11.03.2024

pry

(DEEPAK GUPTA)
JUDGE

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