

[249] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4100-2024
Date of Decision : 31.01.2024

Jatinder Thakur @ Sanju ...Petitioner
versus
State of PunjabRespondent

Coram : HON’BLE MR. JUSTICE DEEPAK GUPTA
Present : Mr. Ajay Pal Singh Rehan, Advocate for the petitioner.

DEEPAK GUPTA, J. (ORAL)

[1] The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.114, dated 09.12.2023 under Sections 20 & 27(a) of the NDPS Act, 1985, registered at Police Station Shahpur Kandi, District Pathankot.

[2] As per prosecution allegations, Yograj Thakur (co-accused) along with petitioner- Jatinder Thakur @ Sanju were apprehended by the police on 09.12.2023. Co-accused Yograj Thakur was carrying a kit bag on his shoulder which he tried to throw. On search, 955 grams of charas was recovered from the said bag. Attribution to the petitioner is that an amount of Rs.5500/- alleged to be drug money was recovered from him.

[3] Learned counsel for the petitioner contends that petitioner has been falsely implicated; that he was not aware about the contents of the bag carried by co-accused; that petitioner has never been involved in any such activity and has clean antecedents.

[4] Notice of motion.

[5] Mr. Amit Rana, learned Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.

[6] Custody certificate dated 30.01.2024 has been filed in Court today. The same is taken on record.

[7] Learned State Counsel concedes the fact that no recovery of contraband was effected from the petitioner. It is also conceded that recovered quantity of contraband from co-accused Yograj Thakur falls in the non commercial category. Custody certificate also reveals that the petitioner is in custody for the last 01 month and 20 days, and he has no criminal antecedents.

[8] Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

31.01.2024
'Rajneesh'

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