

**221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Neutral Citation No. 2024:PHHC:014615
CRM-M-4501-2024**

Date of Decision: February 02, 2024

Gurpeet Singh alias Preet alias Ghodi and another ...Petitioners

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Manoj R. Sharma, Advocate for the petitioners.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 439 Cr.P.C., petitioners, namely, Gurpeet Singh @ Preet @ Ghodi; and Sukhdev Singh, seek regular bail in case FIR No.100 dated 25.11.2023, under Sections 21, 22 and 65 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 61(1) of the Excise Act, registered at Police Station Shahpurkandi, District Pathankot.

2. As per the allegations, on 25.11.2023, the two petitioners were apprehended while travelling in an Innova car and from their possession 06 grams of intoxicating powder and 60 bottles of country made liquor marká 'Mota Santra' for selling in Himachal Pradesh, were recovered.

3. Learned counsel contends that the recovered quantity of contraband falls in the non-commercial category and that as far as liquor is concerned that was country made liquor and not the illicit liquor. Learned counsel further submits that both the petitioners are in custody for the last more than 02 months and that are not involved in other case.

4. Notice of motion.

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

6. Learned State counsel has placed on record the custody certificate of petitioner – Gurpreet Singh @ Preet @ Ghodi, as per which he is in custody for the last 02 months and 07 days and he is not involved in any other case. Learned State counsel, on instructions from ASI Rajender Kumar, also informs that petitioner – Sukhdev Singh has also no criminal antecedent and he is also in custody for the same period.

7. Having regard to the aforesaid facts and circumstances and considering the fact that the recovered quantity of contraband falls in the non-commercial category and the recovered liquor was country made and also the fact that petitioners have no criminal antecedent, but commenting anything on the merits of the case, both the petitioners are admitted to bail. They are ordered to be releases on regular bail on their furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

February 02, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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