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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9560-2024
Date of decision : 29.02.2024

Amritpal Singh

...Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present : Mr. Karanjeet Singh Brar, Advocate
for the petitioner.

Mr. Athar Ahmed, DAG, Punjab.

HARKESH MANUJA.J. (ORAL)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.120 dated 12.06.2023 registered under Sections 15/18/25/29 of NDPS Act, 1985 at P.S. Samrala, Police District Khanna, District Ludhiana.
2. Learned counsel for the petitioner submits that the petitioner has been implicated on the basis of disclosure statement made by co-accused namely Dharminster Singh and the case in hand relates to alleged recovery of 4 kg 700 grams of opium besides 30 kg of poppy husk.
3. The prayer made on behalf of the petitioner has been opposed by learned State counsel while submitting that the petitioner was involved in one more case under the NDPS Act involving small quantity of 2 KG of opium.

4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.

5. In the present case, petitioner was implicated on the basis of disclosure statement made by Dharminder Singh and the investigation already stands concluded with the filing of challan and framing of charges. The other case involving the petitioner pertains to non-commercial quantity, in which he has already been granted concession of regular bail. The evidentiary value of the disclosure statement needs to be ascertained during trial besides the custody is already of nine months.

6. Considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner.

7. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

(HARKESH MANUJA)
JUDGE

29.02.2024
monika

Whether speaking/reasoned ? Yes/No
Whether Reportable ? Yes/No