

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No. 231

CRM-M-9997-2024
Date of Decision:22.04.2024

IMRAN

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr.G.C. Verma, Advocate
for the petitioner.

Mr.Ramandeep Singh, Sr.Dy.A.G., Punjab

DEEPAK GUPTA, J.(ORAL)

1. Status report alongwith custody certificate produced by learned State counsel is taken on record. Copies thereof has been supplied to learned counsel for the petitioner.
2. By way of this petition filed under Section 439 Cr.P.C., prayer is made for grant of regular bail in case FIR No. 166 dated 19.10.2023, under Sections 18,27 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred as 'the NDPS Act'), registered at Police Station GRP, District Ludhiana, Punjab.
3. As per prosecution allegations, on 19.10.2023 co-accused Md. Ashif and one lady Khatoon Begam were found in possession of 06 kgs. of opium each. Both of them in their respective disclosure statements nominated the present petitioner to the effect that the petitioner had sent them to supply 12 kgs. of opium to Amritsar.

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4. Learned counsel contends that the petitioner has been falsely implicated only on the basis of disclosure statements, which is inadmissible; that he is not involved in such activity. Learned counsel further contends that petitioner is in custody for the last more than 04 months despite of the fact that no recovery is effected from him; and that the trial is likely to take long time to conclude.

5. Learned State counsel concedes the fact that no recovery was effected from the petitioner. However, the bail petition has been opposed on the ground that the petitioner was nominated as accused on the disclosure statements of co-accused Md. Ashif and one lady Khatoon Begam.

6. A perusal of the custody certificate reveals that the petitioner is in custody for the last more than 04 months and 05 days, with no criminal antecedent.

7. It is also informed that challan is yet to be filed.

8. Considering all the aforesaid facts and circumstances of the case, but without commenting anything on the merits of the case, the 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.

9 Allowed.

**(DEEPAK GUPTA)
JUDGE**

22.04.2024
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No