

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

Neutral Citation No. **2024:PHHC:040395**
CRM-M-13295-2024
Date of Decision: March 20, 2024

Baljit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. A.P.S. Pannu, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way of present petition under Section 439 Cr.P.C., petitioner prays for his release on regular bail in a case arising out of FIR No.0167 dated 03.08.2023, under Section 22 of (Act No.61 of 1985) of the Narcotic Drugs and Psychotropic Substances Act, {for short 'the NDPS Act'} (Section 29 of the NDPS Act added later on), registered at Police Station Dharamkot, District Moga.

2. As per allegations, 65 light orange coloured tablets (loose tablets) containing the salt of etizolam, weighing 8.385 grams were recovered from co-accused Jagtar Singh @ Mali, who was apprehended when he threw a transparent polythene from the pocket of his lower and from which the contraband was recovered. During interrogation, said Jagtar Singh @ Mali nominated the petitioner to be the supplier.

3. Learned counsel for the petitioner contends that petitioner has been falsely implicated simply on the basis of disclosure statement of co-accused; that no recovery was effected from the petitioner; that he is not involved in any other case pertaining to NDPS Act and that he is in custody for the last more than 07 months. It is further contended that

investigation is already complete, charges have been framed and the trial may take long time to conclude.

5. Notice of motion.

6. Mr. Gurpartap Singh Bhullar, AAG, Punjab accepts notice on behalf of respondent-State.

7. Learned State counsel concedes the fact except the disclosure statement of co-accused Jagtar Singh @ Mali, no incriminating material has been found against the petitioner. It is also conceded that challan has already been filed and after framing of the charges, trial is fixed at the stage of prosecution evidence for 01.04.2024. Out of 14 witnesses cited by the prosecution, not even a single witness has been examined so far.

8. As per custody certificate placed on record by learned State counsel, petitioner is in custody for the last 07 months and 16 days with no criminal antecedent.

9. Having regard to the aforesaid facts and circumstances, but without commenting anything on the merits of the case, 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.

Allowed.

March 20, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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