



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

209

CRM-M-27588-2024
Date of Decision: 14.06.2024

Shubham Aggarwal @ Mohit

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Saurabh Arora, Advocate
for the petitioner.

Mr. Amit Goyal, Addl.A.G.Punjab.

DEEPAK MANCHANDA, J.

1. Petitioner has filed this petition for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 40 dated 01.03.2024 under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Balongi, SAS Nagar (Mohali).
2. Learned counsel for the petitioner contends that the petitioner is in custody since 22.03.2024. He submits that the petitioner has been falsely implicated in the present case as he is not even named in the FIR. He submits that only on the disclosure statement of co-accused, he has been nominated. The alleged contraband (i.e. 3 k.g. 500 grams of opium) was recovered from the accused persons, namely, Nanhe Sagar and Sanjeev Singh and during investigation on 22.03.2024, petitioner was arrested from whom the recovery of 1 kg. opium was effected which is of non-commercial quantity and no other



case pending against the petitioner. He further submits that the challan is yet to be presented, therefore, conclusion of trial will take sufficient time to conclude, therefore, the petitioner be enlarged on bail.

3. Status report by way of affidavit of Gursher Singh Sandhu, PPS, Deputy Superintendent of Police, SB & CI, District SAS Nagar has been filed on behalf of respondent-State, which is taken on record.

4. *Per contra*, learned counsel appearing on behalf of respondent-State, on instructions from ASI Karamveer Singh opposes the prayer for grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature. However, he does not dispute the alleged fact that there is no other case pending against the petitioner, quantity recovered from the petitioner being non-commercial and the challan is yet to be presented.

5. I have heard learned counsel for the parties.

6. Petitioner is in incarceration since 22.03.2024.

7. It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the conclusion of trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars

8. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of

the trial Court/Duty Magistrate concerned.

9. The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

14.06.2024

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No