



CRM-M-33002-2023

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

CRM-M-33002-2023

Date of Decision: 06.11.2024

Akashdeep Singh alias Boota Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.146 dated 03.07.2022, registered under Section 22 of NDPS Act, 1985 at Police Station Dharamkot, District Moga.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in this case as is evident from the investigation having been conducted. He submits that the petitioner was arrested on the basis of the secret information and thereafter, alleged recovery was shown to have been made from him. He submits that there is violation of mandatory provisions of Section 42 of NDPS Act as recovery having been effected from the petitioner is from a public place, but no independent witness was joined. He has submitted that the petitioner was granted interim bail by this Court vide order dated 15.11.2023 and since then he is appearing before the trial Court and thus, has not misused the same.

3. Learned State counsel though has opposed the submissions made by counsel for the petitioner on merits contending therein that recovery effected from the petitioner is commercial quantity, however, he



has submitted that as per information received, the petitioner is regularly appearing before the trial Court and he has not misused the concession of interim bail granted to him. He further submits that the petitioner is not involved in any other criminal case. He has submitted that out of total 11 prosecution witnesses, 01 witness has been examined.

4. Heard.

5. After hearing learned counsel for the parties and perusing the record, it is apparent that the petitioner was granted interim bail by this Court vide order dated 15.11.2023 and since then, he is regularly appearing before the trial Court and has not misused the concession of interim bail granted to him. Out of total 11 prosecution witnesses, 01 witness has been examined so far. There is nothing on record to show that the petitioner is involved in any other criminal case. Thus, in the overall facts and circumstances, the petitioner is entitled to be released on bail during the pendency of the trial and as such, the interim bail granted to the petitioner vide order dated 15.11.2023 is made absolute and he is granted regular bail till the conclusion of the trial on the bail/surety bonds already furnished by him in response to the order dated 15.11.2023.

6. The petition stands allowed.

06.11.2024
sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No